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# CLEARLAKE ZONING ORDINANCE

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CITY OF CLEARLAKE

ORDINANCE NO. ORD-04-87

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CLEARLAKE ADOPTING ZONING REGULATIONS AND ZONE MAP FOR THE CITY OF CLEARLAKE AND REPEALING VARIOUS ORDINANCES PERTAINING TO ZONING REGULATIONS

The City Council of the City of Clearlake does hereby ordain as follows:

Section 1. Zoning Regulations for the City of Clearlake as set forth in Exhibit "A" which is hereto attached, and herein incorporated by this reference, is hereby adopted.

Section 2. Zone Map for the City of Clearlake as set forth in Exhibit "B" which is hereto attached, and herein incorporated by this reference, is hereby adopted.

Section 3. Ordinances, or portions of Ordinances, of the City of Clearlake are hereby repealed as follows:

a. Ordinance No. 12: Section 1(N) of Ordinance No. 12 (Lake County Code, Chapter 21 - Zoning), An Ordinance Adopting by Reference Chapters of the Lake County Code.

b. Ordinance No. 29: An Ordinance Amending Ordinance No. 12 with respect to the Location of Indoor Motion Picture Theaters in a General Commercial District.

c. Ordinance No. 37: An Ordinance Amending Ordinance No. 12 with respect to Rear Yard Setback Requirements in Various Residential Districts.

d. Ordinance No. 38: An Ordinance Amending Ordinance No. 12 relating to the Permitted Uses in Neighborhood Commercial (C-1) and General Commercial (C-2) Districts of the City.

e. Ordinance No. 39: An Ordinance Amending Ordinance No. 12 relating to Permitted Uses in Unclassified ("U") Districts of the City.

f. Ordinance No. 47: An Ordinance Amending Ordinance No. 12 to Permit Mobile Home Parks in the R-4 Residential Resort Zoning District.

g. Ordinance No. 49: An Ordinance Delegating Authority to the Director of Planning to Grant Extensions of Time for certain projects.

10-10-1941

The following is a list of the names of the persons who have been named in the above mentioned document.

10-10-1941

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The following is a list of the names of the persons who have been named in the above mentioned document.



h. Ordinance No. 63: An Ordinance of the City of Clearlake Amending the Zoning Map of the City of Clearlake.

i. Ordinance No. 66: An Ordinance of the City of Clearlake Amending the Zoning Map of the City of Clearlake.

j. Ordinance No. 71: An Ordinance of the City of Clearlake Repealing Section 21.30.3(e) Requiring a Use Permit for Second Hand Sales.

k. Ordinance No. 72: An Ordinance of the City of Clearlake Amending Ordinance No. 12 Relating to Fences.

l. Ordinance No. 77: An Ordinance of the City of Clearlake establishing Housing Standards.

PASSED AND ADOPTED by the City Council of the City of Clearlake, County of Lake, State of California on this 16th day of November, 1987 by the following vote:

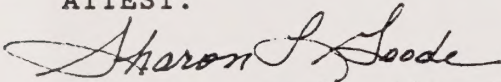
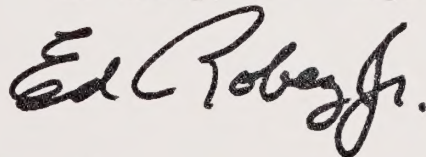
AYES: Mayor Robey, Vice Mayor Marquardt, Council Members Constable and Sanchez

NOES: None

ABSENT OR NOT VOTING: Council Member Struthers

Ed Robey, Jr., Mayor

ATTEST:



Sharon L. Goode, City Clerk

1. The purpose of this report is to provide a summary of the results of the study conducted by the research team.

2. The study was conducted over a period of six months, during which time data was collected from a sample of 100 participants.

3. The results of the study indicate that there is a significant correlation between the variables studied, with a p-value of less than 0.05.

4. The findings of this study have important implications for the field of research, and suggest that further investigation is warranted.

5. The research team would like to thank the funding agency for their support, and the participants for their contribution to the study.

6. The data collected during the study is available upon request, and the research team is open to collaboration with other researchers in the field.

7. The research team is currently working on a follow-up study to further explore the findings of this study.

8. The research team is grateful for the feedback and comments received from the reviewers.

9. The research team is committed to transparency and will provide updates on the progress of the follow-up study.

Dr. John Doe  
Principal Investigator

Dr. Jane Smith  
Co-Investigator



# **CLEARLAKE ZONING ORDINANCE**



## CLEARLAKE ZONING ORDINANCE

### CITY COUNCIL

Ed Robey, Jr., Mayor  
Betty Lou Marquardt, Vice Mayor  
Caroline Constable  
Arsenio "Sam" Sanchez, Jr.  
William Struthers  
Vic Rosa, 12/8/86  
Pete Von Drell, 6/11/86

### CITY ADMINISTRATOR

Ismael "Izzy" Rodriguez

### CITY CLERK

Sharon Goode

### PLANNING CONSULTANTS

Dennis Castrillo  
Greg Collins

### PLANNING COMMISSION

Wayne Blachly, Chairman  
Wilma "Billie" Bitzer  
Roy Burrell  
Bob Gordon  
Joan Mingori  
James Herrmann, 3/4/86  
Karen Marinovich, 2/17/87  
Harvey Sampson, 4/8/86  
Gene Schwartz, 3/12/87  
William Story, 4/1/86  
Herman Strauss, 7/6/87  
William Struthers, 12/8/86

### PLANNING DEPARTMENT

Daniel A. Obermeyer, Director  
Sandra Bonner, Senior Planner  
Judy Mayjoffo, Deputy City Clerk  
Kathie Ferguson, Deputy City Clerk  
Joanna Miller, Deputy City Clerk  
Dan Berman, 10/28/87  
Richard Spitler, 6/26/87  
Mike Poland, 6/29/87

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APPENDIX A

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| 1   | 2   | 3   | 4   | 5   | 6   | 7   | 8   | 9   | 10  | 11  | 12  | 13  | 14  | 15  | 16  | 17  | 18  | 19  | 20  | 21  | 22  | 23  | 24  | 25  | 26  | 27  | 28  | 29  | 30  | 31  | 32  | 33  | 34  | 35  | 36  | 37  | 38  | 39  | 40  | 41  | 42  | 43  | 44  | 45  | 46  | 47  | 48  | 49  | 50  | 51  | 52  | 53  | 54  | 55  | 56  | 57  | 58  | 59  | 60  | 61  | 62  | 63  | 64  | 65  | 66  | 67  | 68  | 69  | 70  | 71  | 72  | 73  | 74  | 75  | 76  | 77  | 78  | 79  | 80  | 81  | 82  | 83  | 84  | 85  | 86  | 87  | 88  | 89  | 90  | 91  | 92  | 93  | 94  | 95  | 96  | 97  | 98  | 99  | 100  |
| 101 | 102 | 103 | 104 | 105 | 106 | 107 | 108 | 109 | 110 | 111 | 112 | 113 | 114 | 115 | 116 | 117 | 118 | 119 | 120 | 121 | 122 | 123 | 124 | 125 | 126 | 127 | 128 | 129 | 130 | 131 | 132 | 133 | 134 | 135 | 136 | 137 | 138 | 139 | 140 | 141 | 142 | 143 | 144 | 145 | 146 | 147 | 148 | 149 | 150 | 151 | 152 | 153 | 154 | 155 | 156 | 157 | 158 | 159 | 160 | 161 | 162 | 163 | 164 | 165 | 166 | 167 | 168 | 169 | 170 | 171 | 172 | 173 | 174 | 175 | 176 | 177 | 178 | 179 | 180 | 181 | 182 | 183 | 184 | 185 | 186 | 187 | 188 | 189 | 190 | 191 | 192 | 193 | 194 | 195 | 196 | 197 | 198 | 199 | 200  |
| 201 | 202 | 203 | 204 | 205 | 206 | 207 | 208 | 209 | 210 | 211 | 212 | 213 | 214 | 215 | 216 | 217 | 218 | 219 | 220 | 221 | 222 | 223 | 224 | 225 | 226 | 227 | 228 | 229 | 230 | 231 | 232 | 233 | 234 | 235 | 236 | 237 | 238 | 239 | 240 | 241 | 242 | 243 | 244 | 245 | 246 | 247 | 248 | 249 | 250 | 251 | 252 | 253 | 254 | 255 | 256 | 257 | 258 | 259 | 260 | 261 | 262 | 263 | 264 | 265 | 266 | 267 | 268 | 269 | 270 | 271 | 272 | 273 | 274 | 275 | 276 | 277 | 278 | 279 | 280 | 281 | 282 | 283 | 284 | 285 | 286 | 287 | 288 | 289 | 290 | 291 | 292 | 293 | 294 | 295 | 296 | 297 | 298 | 299 | 300  |
| 301 | 302 | 303 | 304 | 305 | 306 | 307 | 308 | 309 | 310 | 311 | 312 | 313 | 314 | 315 | 316 | 317 | 318 | 319 | 320 | 321 | 322 | 323 | 324 | 325 | 326 | 327 | 328 | 329 | 330 | 331 | 332 | 333 | 334 | 335 | 336 | 337 | 338 | 339 | 340 | 341 | 342 | 343 | 344 | 345 | 346 | 347 | 348 | 349 | 350 | 351 | 352 | 353 | 354 | 355 | 356 | 357 | 358 | 359 | 360 | 361 | 362 | 363 | 364 | 365 | 366 | 367 | 368 | 369 | 370 | 371 | 372 | 373 | 374 | 375 | 376 | 377 | 378 | 379 | 380 | 381 | 382 | 383 | 384 | 385 | 386 | 387 | 388 | 389 | 390 | 391 | 392 | 393 | 394 | 395 | 396 | 397 | 398 | 399 | 400  |
| 401 | 402 | 403 | 404 | 405 | 406 | 407 | 408 | 409 | 410 | 411 | 412 | 413 | 414 | 415 | 416 | 417 | 418 | 419 | 420 | 421 | 422 | 423 | 424 | 425 | 426 | 427 | 428 | 429 | 430 | 431 | 432 | 433 | 434 | 435 | 436 | 437 | 438 | 439 | 440 | 441 | 442 | 443 | 444 | 445 | 446 | 447 | 448 | 449 | 450 | 451 | 452 | 453 | 454 | 455 | 456 | 457 | 458 | 459 | 460 | 461 | 462 | 463 | 464 | 465 | 466 | 467 | 468 | 469 | 470 | 471 | 472 | 473 | 474 | 475 | 476 | 477 | 478 | 479 | 480 | 481 | 482 | 483 | 484 | 485 | 486 | 487 | 488 | 489 | 490 | 491 | 492 | 493 | 494 | 495 | 496 | 497 | 498 | 499 | 500  |
| 501 | 502 | 503 | 504 | 505 | 506 | 507 | 508 | 509 | 510 | 511 | 512 | 513 | 514 | 515 | 516 | 517 | 518 | 519 | 520 | 521 | 522 | 523 | 524 | 525 | 526 | 527 | 528 | 529 | 530 | 531 | 532 | 533 | 534 | 535 | 536 | 537 | 538 | 539 | 540 | 541 | 542 | 543 | 544 | 545 | 546 | 547 | 548 | 549 | 550 | 551 | 552 | 553 | 554 | 555 | 556 | 557 | 558 | 559 | 560 | 561 | 562 | 563 | 564 | 565 | 566 | 567 | 568 | 569 | 570 | 571 | 572 | 573 | 574 | 575 | 576 | 577 | 578 | 579 | 580 | 581 | 582 | 583 | 584 | 585 | 586 | 587 | 588 | 589 | 590 | 591 | 592 | 593 | 594 | 595 | 596 | 597 | 598 | 599 | 600  |
| 601 | 602 | 603 | 604 | 605 | 606 | 607 | 608 | 609 | 610 | 611 | 612 | 613 | 614 | 615 | 616 | 617 | 618 | 619 | 620 | 621 | 622 | 623 | 624 | 625 | 626 | 627 | 628 | 629 | 630 | 631 | 632 | 633 | 634 | 635 | 636 | 637 | 638 | 639 | 640 | 641 | 642 | 643 | 644 | 645 | 646 | 647 | 648 | 649 | 650 | 651 | 652 | 653 | 654 | 655 | 656 | 657 | 658 | 659 | 660 | 661 | 662 | 663 | 664 | 665 | 666 | 667 | 668 | 669 | 670 | 671 | 672 | 673 | 674 | 675 | 676 | 677 | 678 | 679 | 680 | 681 | 682 | 683 | 684 | 685 | 686 | 687 | 688 | 689 | 690 | 691 | 692 | 693 | 694 | 695 | 696 | 697 | 698 | 699 | 700  |
| 701 | 702 | 703 | 704 | 705 | 706 | 707 | 708 | 709 | 710 | 711 | 712 | 713 | 714 | 715 | 716 | 717 | 718 | 719 | 720 | 721 | 722 | 723 | 724 | 725 | 726 | 727 | 728 | 729 | 730 | 731 | 732 | 733 | 734 | 735 | 736 | 737 | 738 | 739 | 740 | 741 | 742 | 743 | 744 | 745 | 746 | 747 | 748 | 749 | 750 | 751 | 752 | 753 | 754 | 755 | 756 | 757 | 758 | 759 | 760 | 761 | 762 | 763 | 764 | 765 | 766 | 767 | 768 | 769 | 770 | 771 | 772 | 773 | 774 | 775 | 776 | 777 | 778 | 779 | 780 | 781 | 782 | 783 | 784 | 785 | 786 | 787 | 788 | 789 | 790 | 791 | 792 | 793 | 794 | 795 | 796 | 797 | 798 | 799 | 800  |
| 801 | 802 | 803 | 804 | 805 | 806 | 807 | 808 | 809 | 810 | 811 | 812 | 813 | 814 | 815 | 816 | 817 | 818 | 819 | 820 | 821 | 822 | 823 | 824 | 825 | 826 | 827 | 828 | 829 | 830 | 831 | 832 | 833 | 834 | 835 | 836 | 837 | 838 | 839 | 840 | 841 | 842 | 843 | 844 | 845 | 846 | 847 | 848 | 849 | 850 | 851 | 852 | 853 | 854 | 855 | 856 | 857 | 858 | 859 | 860 | 861 | 862 | 863 | 864 | 865 | 866 | 867 | 868 | 869 | 870 | 871 | 872 | 873 | 874 | 875 | 876 | 877 | 878 | 879 | 880 | 881 | 882 | 883 | 884 | 885 | 886 | 887 | 888 | 889 | 890 | 891 | 892 | 893 | 894 | 895 | 896 | 897 | 898 | 899 | 900  |
| 901 | 902 | 903 | 904 | 905 | 906 | 907 | 908 | 909 | 910 | 911 | 912 | 913 | 914 | 915 | 916 | 917 | 918 | 919 | 920 | 921 | 922 | 923 | 924 | 925 | 926 | 927 | 928 | 929 | 930 | 931 | 932 | 933 | 934 | 935 | 936 | 937 | 938 | 939 | 940 | 941 | 942 | 943 | 944 | 945 | 946 | 947 | 948 | 949 | 950 | 951 | 952 | 953 | 954 | 955 | 956 | 957 | 958 | 959 | 960 | 961 | 962 | 963 | 964 | 965 | 966 | 967 | 968 | 969 | 970 | 971 | 972 | 973 | 974 | 975 | 976 | 977 | 978 | 979 | 980 | 981 | 982 | 983 | 984 | 985 | 986 | 987 | 988 | 989 | 990 | 991 | 992 | 993 | 994 | 995 | 996 | 997 | 998 | 999 | 1000 |







## ARTICLE I: ADMINISTRATION

This portion of the Clearlake Zoning Ordinance contains the chapters which explain why the ordinance was adopted and the City's authority to do so. It also establishes the planning officers and bodies responsible for carrying out the ordinance and the permits which are used to assure compliance with this ordinance and the general plan. Also included are the procedures for applying for permits; notification requirements for public hearings; and, the process to follow in amending the ordinance or requesting a development agreement.

## CHAPTER 1.1: GENERAL PROVISIONS

### SECTION 1.100: ADOPTION OF THE ZONING ORDINANCE

Pursuant to Government Code Section 6500 et seq., a zoning ordinance is hereby adopted for the City of Clearlake, State of California.

### SECTION 1.101: PURPOSE OF THE ZONING ORDINANCE

The purpose of this ordinance is aimed at objectionable evils of healthful community living and is not intended as an overly broad regulation of private property. In meeting this purpose it is the intention of the council to protect the constitutionally guaranteed property rights of the citizens of this community and to exercise the City's use of its police power in such a manner as to not impose unlawful regulatory takings.

The purpose of this ordinance is also to preserve and promote the substantial advancement of the legitimate government interest of public health, safety and welfare of the City of Clearlake and to facilitate growth and expansion of the City in a precise and orderly manner. More specifically, this ordinance is adopted in order to achieve the following objectives:

- (a) Assure that the public and private lands are ultimately used for purposes which are appropriate and most beneficial for the citizens of the City while maintaining an economically viable use of these lands.
- (b) Implement the goals, policies and map of the General Plan.
- (c) Assure the appropriate location of community facilities and institutions.
- (d) Promote a safe, effective traffic circulation system.
- (e) Require adequate off-street parking and loading facilities.
- (f) Maintain appropriate setback distances to assure proper spacing between buildings.

### SECTION 1.102: COMPONENTS OF THE ZONING ORDINANCE

The text of this ordinance and the Official Zoning Maps will determine zoning and combining districts, control land uses, establish population densities, specify uses and locations of structures, identify development improvements, determine dimensions of sites, provide for off-street parking and loading facilities, prescribe other regulations in order to protect the public health, safety and welfare of the Citizens of Clearlake.



## SECTION 1.103: JURISDICTION

This ordinance applies to all the areas within the municipal boundaries of the City of Clearlake whether owned, leased or operated by private persons, farms, corporations or organizations. Additionally, any property owned, leased or operated by the United States; the State of California; the County of Lake; or, any other public or governmental body or agency shall be subject to the provisions of this code, as follows:

- (a) Where such public or governmental uses are specifically listed, they shall be governed as indicated.
- (b) Where such public or governmental uses are not specifically listed, they shall be permitted only in zones permitting private uses of a substantially similar nature. The Planning Director shall determine if the governmental use is substantially similar to the permitted use.
- (c) Property owned by the United States; the State of California; the County of Lake; or any other governmental agency shall be exempt from the provisions of this ordinance only to the extent that their property may not be lawfully regulated by the City of Clearlake.

## CHAPTER 1.2: ADMINISTRATION

### SECTION 1.200: CREATION OF BODIES AND DESIGNATION OF OFFICERS

The planning bodies and officers designated in this chapter shall be responsible for the administration and implementation of the Clearlake Zoning Ordinance.

### SECTION 1.201: THE CITY COUNCIL

The City Council is vested with the authority to adopt and amend the Zoning Ordinance and rules and procedures governing the operation of the Planning Commission and appointment of Planning Commissioners. When decisions or interpretations of the Planning Commission are appealed, the City Council is also the final decision-making body.

### SECTION 1.202: THE PLANNING COMMISSION

The Planning Commission shall be the original hearing body vested with the authority to approve or deny applications for variances and conditional use permits. The Planning Commission shall serve as an appellate body for all permit decisions made by the Planning Director or Site Plan Review Committee and for all interpretations of this ordinance made by the Planning Director or Code Enforcement Officer. The Planning Commission shall also be the original hearing body for all permit revocations or modifications. The Planning Commission shall recommend approval, denial or amendments of this ordinance to the City Council. The Planning Commission shall also regularly review development agreements and report their findings and recommendations to the City Council.

### SECTION 1.203: PLANNING DIRECTOR

The Planning Director shall be the administrative head of the Planning Department. The Planning Director is vested with the authority to approve or deny temporary use permits; interpret the zoning ordinance; act as a member of the Site Plan Review Committee and, carry out other duties as directed by this ordinance.

### SECTION 1.204: SITE PLAN REVIEW COMMITTEE

The Site Plan Review Committee shall consist of the Planning Director or his designee, a representative of the Public Works Department and a representative of the Building Inspection Division. The Planning Director or his designee shall serve as the Chairman of the Site Plan Review Committee. The Planning Director may add additional members and determine the meeting dates of the Site Plan Review Committee. The Site Plan Review Committee shall be the original hearing body vested with the authority to



approve or deny applications for site plan review permits. The Site Plan Review Committee shall serve in an advisory capacity to the Planning Commission when a use requires a conditional use permit. When questions arise regarding the appropriate number of off-street parking spaces for a use not described in Chapter 5.3, the Site Plan Review Committee shall determine the parking requirements.

The Site Plan Review Committee shall hold a regular public meeting at least once each month at a time and place determined by the members, and such additional meetings as the members determine to be necessary. The Site Plan Review Committee shall adopt rules governing the transaction of business at its meetings and the other affairs of the Committee.

#### SECTION 1.205: CODE ENFORCEMENT OFFICER

The Code Enforcement Officer shall be the Planning Director or his designee and shall be responsible for enforcing the provisions of this ordinance and other codes and statutes regarding the use of land, buildings or structures .

#### SECTION 1.206: BUILDING INSPECTOR

The Building Inspector or his designee shall act as a member of the Site Plan Review Committee. The Building Inspector shall also be responsible for obtaining zoning clearance prior to the issuance of any building permit and for reviewing and approving parking plans. The Building Inspector shall also carry out other duties directed by this ordinance.

#### SECTION 1.207: PUBLIC WORKS DIRECTOR

The Public Works Director shall act as a member of the Site Plan Review Committee, approve certain parking requirements, identify the location of floodplains and carry out other duties directed by this ordinance.



## CHAPTER 1.3: RULES OF INTERPRETATION

### SECTION 1.300: GENERAL

The Planning Director shall decide any questions involving the interpretation or application of any provision of this ordinance. However, any interpretation of the Planning Director may be appealed to the Planning Commission and the interpretation of the Planning Commission may be appealed to the City Council.

### SECTION 1.301: MINIMUM REQUIREMENTS

The regulations and development standards set forth in this ordinance are the minimum requirements for the protection of the public safety, health, convenience, comfort, or general welfare. It is not the intention of this ordinance to interfere with or abrogate or annul any easements, covenants, or other agreements between parties. However, where this ordinance imposes a greater restriction upon the use of buildings or premises, or upon the height of buildings, or requires larger open spaces than are required by other ordinances, rules, regulations or by easements, covenants or agreements, the regulations of this ordinance shall govern. In the event of a difference or conflict between the text of this ordinance and the zoning districts shown on the Official Zoning Maps, the designation(s) of the Official Zoning Maps shall prevail.

### SECTION 1.302: ZONE BOUNDARIES

Where uncertainty exists with respect to the boundaries of the various zones as shown on the Official Zoning Maps, the following rules shall apply:

- (a) Zone boundaries are either streets or alleys unless otherwise shown, and where the designations on the Official Zoning Map indicating the various zones are approximately bounded by street or alley lines, said street or alley shall be construed to be the boundary of such zone.
- (b) Where doubt exists as to the location of a zone boundary in interior of a block, the boundary shall be the nearest interior lot line existing at the effective date of this ordinance or at the date when the property may have been subsequently rezoned.
- (c) Where the street layout on the ground or the lot lines differ from such layout or lines shown on the Official Zoning Maps, the matter shall be referred to the Planning Director to determine the exact boundary and the map shall be amended to conform to the layout on the ground.



#### SECTION 1.303: LANGUAGE

Where used in this Code the word "shall" is always mandatory and not discretionary or directory. The word "may" is permissive. The present tense includes the past and future tenses; and the future tense includes the present. The masculine gender includes the feminine and neuter. The singular number includes the plural, and the plural the singular. The word "includes" shall not limit a term to the specific examples, but is intended to extend its meaning to all other instances or circumstances of like kind or character.

The word "City" shall mean the City of Clearlake. The words "City Council" and "Council" shall mean the City Council of the City of Clearlake. The words "Planning Commission" and "Commission" shall mean the Planning Commission of the City of Clearlake. The words "Planning Director" or "Director" shall mean the Director, Planning Department, City of Clearlake.

#### SECTION 1.304: DIFFERENCES OF MEANING

In case of difference of meaning or implication between the text of this ordinance and any other ordinance now in effect or hereafter adopted, or any caption, illustration or table within this ordinance, the text of this ordinance shall prevail.

#### SECTION 1.305: USES NOT OTHERWISE PROVIDED FOR

From time to time persons may desire to use property for purposes which are not specifically permitted or conditionally permitted. In order to carry out the intent of this ordinance and to accommodate such uses, the City Council authorizes the Planning Director to make findings on requests for interpretations of how the use is to be considered. In determining how the use is to be processed, the Planning Director must find that the use is substantially similar in character, intensity and compatibility to a use or uses within the zoning classification applicable to the property. Based on this finding, the use shall be processed in the same manner as the similar use, and shall be subject to the same standards and regulations. In such instances, the Planning Director shall also initiate proceedings to amend the ordinance to add the specific use under consideration.



## CHAPTER 1.4: ZONING CLEARANCE AND PERMITS AUTHORIZED BY THIS ORDINANCE

### SECTION 1.400: ZONING CLEARANCE

Zoning clearance shall be required for all buildings and structures hereinafter erected, constructed, altered, repaired or moved within or into any district established by this ordinance, or for any use or activity which requires a building permit. No building permit shall be issued until zoning clearance has been obtained from the Planning Department by the Building Inspector and any other necessary permits required by this ordinance have been issued and have become effective.

### SECTION 1.401: CONDITIONAL USE PERMITS

A conditional use permit revocable, conditional and/or valid for a term period may be issued for any of the uses for which such permits are required by the terms of this ordinance. The Planning Commission or City Council may impose such conditions as they deem necessary to secure the purposes of this ordinance and may require tangible guarantees or evidence that such conditions are being, or will be, met.

### SECTION 1.402: SITE PLAN REVIEW PERMIT

The site plan review permit and process is intended to assure that proposed developments are reviewed for their design, compatibility with surrounding uses and conformity with the provisions of this ordinance and the Clearlake General Plan. The Site Plan Review Committee, or other planning bodies upon appeal, may impose such conditions as they deem necessary to secure the purposes of the ordinance and may require tangible guarantees or evidence that such conditions are being, or will be met.

### SECTION 1.403: VARIANCE PERMIT

A variance permit may be issued when because of special circumstances applicable to the subject property, including size, shape, topography, location or surroundings, the strict application of the provisions of this ordinance are found to deprive subject property of privileges enjoyed by other properties in the vicinity and under identical zone classification.

### SECTION 1.404: TEMPORARY USE PERMIT

A temporary use permit revocable, conditional and/or valid for a term period not to exceed twelve (12) months, may be issued for any of the uses or purposes for which such permits are required by the terms of this ordinance. The Planning Director may issue a temporary use permit as an administrative function and may impose such conditions as he deems necessary to secure the purposes



of the ordinance and may require tangible guarantees or evidence that such conditions are being, or will be, met.

## CHAPTER 1.5: APPLICATION FOR ZONING CLEARANCE AND PERMITS

### SECTION 1.500: WHO MAY APPLY

Application for zoning clearance and permits authorized by this ordinance shall be made in writing by the owner of the property, lessee, purchaser in escrow, optionee with the consent of the owners, or by a public utility company or other agencies with the powers of eminent domain.

### SECTION 1.501: APPLICATION

Applicants for zoning clearance and permits authorized by this ordinance shall submit the number of copies of a completed application form as required by the Planning Department. The application form and its contents shall be determined by the Planning Director with the approval of the Planning Commission. The Planning Director shall make the final determination as to when the application is complete.

### SECTION 1.502: ADDITIONAL INFORMATION

The Planning Director, Site Plan Review Committee, Planning Commission or City Council may require an applicant to submit additional information necessary to assure compliance with local, State or federal laws; process an application; interpret this ordinance or, to make a decision regarding zoning clearance or the issuance of a permit.

### SECTION 1.503: EXPIRATION OF PERMITS

Any permits authorized by this ordinance shall, without further action, become null and void if the proposed use or the construction of any building or structure has not commenced within one (1) year from the date of the approval or within any other period of time so designated by the planning officer or planning body approving the permit.

### SECTION 1.504: PERMIT FEES

The City Council, shall by resolution, establish an application fee for zoning clearance, permit and appeals authorized by this ordinance.



## CHAPTER 1.6: NOTICE OF PUBLIC HEARINGS

### SECTION 1.600: NOTICE REQUIREMENTS FOR ADOPTING OR AMENDING THE ZONING ORDINANCE

Prior to a Planning Commission or City Council hearing on an amendment to or adoption of the ordinance, a notice of the public hearing shall be published one time, in at least one newspaper of general circulation within the jurisdiction of the local agency at least ten (10) calendar days prior to the hearing. The notice shall include the information specified in Section 1.601. If the proposed amendment or adoption of the ordinance affects the uses of real property, notice shall be given pursuant to Section 601. The Planning Director, at his discretion, may also give additional notice of the hearing in any other manner he deems necessary or desirable.

### SECTION 1.601: NOTICE REQUIREMENTS FOR PERMITS

Prior to a hearing on a permit for which a public hearing is required, a single notice of hearing shall be given not less than ten (10) calendar days prior to such hearing by publication in a newspaper of general circulation which is distributed in or near the general area of the property which is affected by the proposed use or variance and by written notice of the hearing mailed or delivered not less than ten (10) calendar days prior to such hearing to the owner of the subject property or the owner's authorized agent, to the project applicant and to owners of surrounding properties as shown on the last equalized assessment roll. The newspaper publication and the mailed notices shall include information regarding the date, time and place of the public hearing, the planning body or officer who will consider the permit application and, a general description in text or by diagram, of the location of the real property that is the subject of the hearing. Surrounding properties shall be defined as those properties that fall within the outer property boundary of the proposed use, variance, zoning or development as follows:

- (a) If the subject property is twenty (20) acres or less, notices shall be given to all properties within three hundred (300) feet of the property line.
- (b) If the subject property is more than twenty (20) acres, notice shall be given to all properties within seven hundred (700) feet of the property line.

### SECTION 1.602: FAILURE TO RECEIVE NOTICE

Failure of any person or entity to receive a notice given pursuant to Section 1.601 shall not invalidate any proceedings for amendment to this ordinance, nor any permits authorized by this ordinance.

SECTION 1.603: NOTIFICATION OF MORE THAN ONE THOUSAND (1,000) PROPERTY OWNERS

If the number of property owners to whom notice would be mailed or delivered pursuant to Section 1.601, is greater than one thousand (1,000), the Planning Director may provide notice by placing a display advertisement of at least one-eighth (1/8) page in at least one newspaper of general circulation, distributed in or near the general area of the property which is affected by the proposed use or variance, at least ten (10) calendar days prior to the hearing.

SECTION 1.604: NOTIFICATION OF PUBLIC AGENCIES

In addition to providing written and/or published notice to affected property owners, a notice of the hearing shall be mailed or delivered at least ten (10) calendar days prior to the hearing to each local agency expected to provide water, sewage, streets, roads, schools or other essential facilities or services whose ability to provide those facilities and services may be significantly affected.



## CHAPTER 1.7: SITE PLAN REVIEW PERMIT

### SECTION 1.700: PURPOSE

The purposes of the site plan review permit and process are to insure the following: The proposed development is in conformance with the standards of the zone district and policies of the Clearlake General Plan; appropriate infrastructure improvements are provided; adverse impacts to adjacent properties are prevented; unique natural resources and vistas are protected; and, visually appealing developments are encouraged which enhance the appearance of the neighborhood and community.

### SECTION 1.701: POWER AND DUTIES OF THE SITE PLAN REVIEW COMMITTEE

- (a) The Site Plan Review Committee shall be responsible for assuring that development within Clearlake is consistent with appropriate codes, ordinances, and policies of the Clearlake General Plan.
- (b) The Site Plan Review Committee shall serve as the original hearing body for site plan review permits.

### SECTION 1.702: SITE PLAN REVIEW APPLICATION

Application for a site plan review permit shall be made in accordance with the provisions of Chapter 1-5. The applicant shall submit twenty-five (25) prints of the site plan to the Planning Department or a number as determined by the Planning Director. The form and contents of the site plan application shall be determined by the Director with the approval of the Planning Commission. The Planning Director shall make the final determination as to whether the application is complete.

### SECTION 1.703: ACTION BY THE SITE PLAN REVIEW COMMITTEE

The Site Plan Review Committee shall hold a public hearing to consider the site plan and project proposed. The Site Plan Review Committee may grant an application for a site plan review permit as requested or in a modified form, if on the basis of the application and the evidence submitted, the Committee makes the following findings:

- (a) That all applicable codes and ordinances are met.
- (b) That all appropriate public improvements are proposed for completion and that necessary dedications are proposed for conveyance.
- (c) That proposed lighting is arranged so as not to adversely impact surrounding properties.

- (d) That on-site signs will not interfere with traffic visibility.
- (e) That off-site drainage will not adversely impact surrounding properties.
- (f) That traffic congestion is avoided and vehicular and pedestrian safety is protected.
- (g) That the site plan is consistent with current adopted Planning Commission and Council policies.

#### SECTION 1.704: APPEAL

A decision of the Site Plan Review Committee on a site plan review permit application may be appealed to the Planning Commission in accordance with the provisions of Chapter 1.11.

#### SECTION 1.705: ISSUANCE OF A SITE PLAN REVIEW PERMIT

Site plan review permits shall not be issued until seven (7) calendar days have elapsed from the granting of the application. The applicant shall be provided notice in writing of the action of the Site Plan Review Committee within two (2) calendar days of said action. For the purpose of this section, notice shall be deemed given and completed upon posting such notice by U.S. Mail to the address contained in the application.

#### SECTION 1.706: OTHER PROVISIONS

A site plan approval shall run with the land and shall continue to be valid upon the transfer, sale or lease of the property.



## CHAPTER 1.8: CONDITIONAL USE PERMITS

### SECTION 1.800: APPLICATION AND ACCOMPANYING MATERIAL FOR A CONDITIONAL USE PERMIT

Application for a conditional use permit shall be made in accordance with Chapter 1.5. In addition an applicant shall submit twenty five (25) prints of a site plan or a number as determined by the Planning Director as described in Section 1.702.

### SECTION 1.801: REVIEW BY SITE PLAN REVIEW COMMITTEE

Prior to the hearing by the Planning Commission on an application for a conditional use permit, the Site Plan Review Committee shall first review the application and site plan. The Planning Director shall fix the meeting date at which the site plan will be considered and shall give the applicant a written notice of the time and place of the meeting. No public notice, as described in Section 1.601, shall be required for review of the site plan by the Site Plan Review Committee.

### SECTION 1.802: ACTION BY THE SITE PLAN REVIEW COMMITTEE

After reviewing the site plan and evidence submitted by the applicant and any other person, the Site Plan Review Committee shall take one of the following actions:

- (a) If the site plan for the conditional use permit complies with all of the provisions of this ordinance and is consistent with the goals and objectives of the General Plan, it shall adopt written findings to that effect and recommend that the body taking final action on the application approve the project.
- (b) If the site plan for the conditional use permit fails to meet one or more requirements set forth in this ordinance or is inconsistent with one or more of the goals and objectives of the General Plan, the Site Plan Review Committee shall adopt written findings describing the inconsistencies and may either recommend denial of said application or recommend that said application be approved subject to such conditions, including changes in the type of project or project design, as may be necessary or convenient to insure conformity with the aforementioned requirements, goals and objectives.
- (c) The Site Plan Review Committee may request additional information from the applicant and reconsider the site plan at a later meeting.



#### SECTION 1.803: RECOMMENDATION BY THE SITE PLAN REVIEW COMMITTEE

The decision of the Site Plan Review Committee is a recommendation and is not subject to appeal.

#### SECTION 1.804: PLANNING COMMISSION PUBLIC HEARING

The Planning Commission shall hold a public hearing which shall be noticed in the manner provided in Section 1.601. At the public hearing the Planning Commission shall review and consider the Site Plan Review Committee's recommendation and consider the testimony of the applicant, planning staff and/or representative of the Site Plan Review Committee and public concerning the proposed conditional use permit.

#### SECTION 1.805: ACTION BY PLANNING COMMISSION

The Planning Commission may grant an application for a conditional use permit as requested or in a modified form, if on the basis of the application and the testimony submitted, the Commission makes the following findings:

- (a) That the proposed establishment, maintenance, or operations of the use applied for will not be detrimental to the public health, safety, welfare, or morals of the persons residing or working in the neighborhood of such proposed use, or whether it will be injurious or detrimental to property and improvements in the neighborhood or the City.
- (b) That the proposed use is consistent with the General Plan.
- (c) That the site for the project is adequate in size, shape, location, and physical characteristics to accommodate the type of use and level of development.
- (d) That there is adequate service, including but not limited to fire protection, water supply, sewage disposal, and police protection to serve the project.
- (e) That public access is adequate and properly designed.

If a ballot of the members of the Planning Commission results in a tie vote, the application is denied.

#### SECTION 1.806: APPEAL

A decision of the Planning Commission on a conditional use permit application may be appealed to the City Council in accordance with the requirements of Chapter 1.11.



## SECTION 1.807: ISSUANCE OF A CONDITIONAL USE PERMIT

Conditional use permits shall not be issued until seven (7) calendar days have elapsed from granting thereof. The applicant shall be provided notice in writing of the action of the Planning Commission within two (2) calendar days of said action. For the purpose of this section, notice shall be deemed given and completed upon posting such notice by U.S. Mail to the address contained in the application.

## CHAPTER 1.9: VARIANCE PERMITS

### SECTION 1.900: APPLICATION AND ACCOMPANYING MATERIALS FOR A VARIANCE PERMIT

Application for a variance permit shall be made in accordance with Chapter 1.5. The applicant shall submit twenty-five (25) copies of a site plan or a number as determined by the Planning Director.

### SECTION 1.901: HEARING BY PLANNING COMMISSION

The Planning Commission shall have original jurisdiction over all variance permits and shall hold a public hearing on applications.

### SECTION 1.902: ACTION BY PLANNING COMMISSION

The Planning Commission may grant an application for a variance permit if it can make all the following findings:

- (a) That any variance permit granted shall be subject to such conditions as will assure that the adjustment authorized shall not constitute a grant of special privilege inconsistent with the limitations upon other properties in the vicinity and district in which the subject property is situated.
- (b) That because of special circumstances applicable to the property, including size, shape, topography, location or surroundings, the strict application of the zoning law is found to deprive subject property of privileges enjoyed by other properties in the vicinity and under identical zone classification.
- (c) That the granting of the variance permit will not be contrary to the intent of this ordinance or to the public safety, health and welfare or injurious to other properties in the vicinity.

### SECTION 1.903: NO VARIANCE FOR USE

A variance shall not be granted for a parcel of property which authorizes a use or activity which is not otherwise expressly authorized by this ordinance.

### SECTION 1.904: APPEAL

A decision of the Planning Commission may be appealed in accordance with the requirements of Chapter 1.11.



## SECTION 1.905: ISSUANCE OF VARIANCE

Variance permits shall not be issued until seven (7) working days have elapsed from the granting thereof. The applicant shall be provided notice in writing of the action of the Planning Commission within two (2) calendar days of said action. For the purpose of this section, notice shall be deemed given and completed upon posting such notice by U.S. Mail to the address contained in the application.

## CHAPTER 1.10: TEMPORARY USE PERMITS

### SECTION 1.1000: TEMPORARY USE PERMIT APPLICATION

Application for a temporary use permit shall be made in accordance with Chapter 1.5.

### SECTION 1.1001: USES AND ACTIVITIES ALLOWED

The following uses or activities are eligible for a temporary use permit:

(a) Sales of Christmas Trees:

Outdoor sales of Christmas trees between November 15 and January 2. Sales area shall be situated where adequate temporary parking is available and normal traffic flow and site distances at intersections and driveways will not be impeded. All Christmas trees, signs or other related structures shall be removed from the outdoor area not later than January 2.

(b) Promotional Displays, Sales and Activities:

Promotional displays and activities including, but not limited to, amusement rides, street dances, concerts, live entertainment and promotional outdoor displays and sales may be conducted in the parks and recreation, commercial and industrial zone districts. The activities shall be conducted only within the buildable portion of the lot or parcel. Temporary signs are permitted only with the approval of the Planning Director. All signage must be removed within twenty-four (24) hours of sales end. Sales area shall be situated where adequate temporary parking is available and normal traffic flow and site distances at intersections and driveways will not be impeded.

(c) Temporary Uses:

The Planning Director may authorize the temporary use of property by non-profit or charitable organizations in any zoning district for a period not to exceed ten (10) days for an exposition, concert, carnival, amusement ride, church revival or for the sale of old clothes, donated goods or secondhand merchandise. Extensions may be granted by the Site Plan Review Committee.

(d) Temporary Sales or Construction Offices:

A temporary office established to handle sales or construction of lots or homes or both may be authorized in any zone. Temporary signs are permitted subject to approval



by the Planning Director.

(e) Temporary Construction Buildings:

Temporary buildings or trailers associated with construction projects for the housing of tools, equipment, building assembly operations and supervisory offices in connection with major construction projects.

(f) Rummage Sales:

The sale of secondhand goods by households or non-profit organizations, including garage or yard sales, which are open to the public and occur no more often than six (6) events per calendar year. Each event shall not exceed three (3) days.

(g) Temporary Outdoor Sales:

Temporary outdoor sales, sidewalk sales and parking lot sales in association with a permitted business that is within an enclosed building located on the same lot of record are permitted subject to approval by the Planning Director. These temporary outdoor sales shall occur no more than twenty days per year.

(h) Temporary Dwelling:

A travel trailer or motor home which serves as an accessory dwelling unit for the owner/builder for one (1) year while building the principal dwelling unit. A temporary dwelling shall not be located in any required yard. Extensions may be granted by the Site Plan Review Committee.

SECTION 1.1002: DENIAL OF TEMPORARY USE PERMIT

The Planning Director may deny a temporary use permit or require a public hearing before the Planning Commission if, in his opinion, the proposed activity or use would be detrimental to the public health, safety or welfare or the community's improvements or is controversial in nature.

SECTION 1.1003: APPEAL

A decision of the Planning Director may be appealed in accordance with Chapter 1.11.

#### SECTION 1.1004: ISSUANCE OF A TEMPORARY USE PERMIT

The applicant shall be provided notice in writing of the action of the Planning Commission within two (2) calendar days of said action. For the purpose of this section, notice shall be deemed given and completed upon posting such notice by U.S. Mail to the address contained in the application.



## CHAPTER 1.11: APPEALS

### SECTION 1.1100: WHO MAY APPEAL

Any person dissatisfied with a decision or interpretation of the Planning Director, Site Plan Review Committee or Code Enforcement Officer may appeal to the Planning Commission. Any person dissatisfied with a decision or interpretation of the Planning Commission may appeal to the City Council. Recommendations of the Planning Commission and Site Plan Review Committee may not be appealed, but any interested person may appear at the time the recommendation is considered and shall be allowed to be heard.

### SECTION 1.1101: NOTICE OF APPEAL

Interpretations or decisions of the Planning Director, Site Plan Review Committee, Code Enforcement Office or Planning Commission may be appealed by filing a written Notice of Appeal with the City Clerk. All appeals of decisions made by any planning officer or body must be made no later than seven (7) working days after the day on which the decision was made.

### SECTION 1.1102: EFFECT OF FILING NOTICE OF APPEAL

The filing of the Notice of Appeal shall have the effect of staying the issuance of any permit until such time as the matter on appeal is resolved.

### SECTION 1.1103: CONTENTS OF NOTICE

The Notice of Appeal shall state the decision being appealed, its identification number, the identity of the appellant and his interest in the matter, and shall set forth the reasons which, in the opinion of the appellant, render the decision unjustified or inappropriate.

### SECTION 1.1104: HEARING OF AN APPEAL

Upon receipt of a Notice of Appeal in proper form and payment of required fee, the appellate body shall set a hearing date.

### SECTION 1.1105: ACTION OF THE APPELLATE BODY

The appellate body shall review the proceedings held by other officers or bodies in which prior decisions or interpretations were made. The appellate body's decision may affirm or modify the previous decision or interpretations. At the discretion of the appellate body, a hearing may be continued. The issues to be considered by the appellant body shall be limited to the same issues heard by the hearing body and shall be clearly stated in the notice of appeal.

#### SECTION 1.1106: APPEALS BY THE PLANNING DIRECTOR

The Planning Director may, at his discretion, appeal decisions of the Planning Commission to the City Council if any of the following occurs:

- (a) Where the action of the Planning Commission constitutes new policies for the City.
- (b) Where actions are contrary to established City Council policy.
- (c) Where actions have significant budget or financial impact for the City.
- (d) Where actions are not in compliance with State law or in accordance with City zoning, planning or subdivision ordinances.

Appeals made according to this section shall not be subject to any fees.



CHAPTER 1.12: NON-CONFORMING USES, BUILDINGS, STRUCTURES AND SIGNS

SECTION 1.1200: NON-CONFORMING USES, LAND, BUILDINGS, STRUCTURES AND SIGNS

Except as otherwise provided in this Chapter, lawful use of land, buildings, signs or structures existing at the time of the adoption of any zoning district may be continued although the particular use, building, sign or structure does not conform to the regulations specified by this ordinance for the district in which the particular use, building, sign or structure is located, except for the following:

- (a) Every non-appurtenant, off-premise sign or other advertising structure which does not conform to the provisions of this ordinance shall be removed or modified to conform with the provisions of this ordinance. The sign is allowed to remain in existence for the period of time set forth below and after giving notice of the removal or modification requirement;

| Fair Market Value on Date of Notice<br>of Removal or Modification Requirement | Years Allowed |
|-------------------------------------------------------------------------------|---------------|
| Under \$1,999.....                                                            | 2             |
| \$2,000 - \$3,000.....                                                        | 3             |
| \$4,000 - \$5,999.....                                                        | 4             |
| \$6,000 - \$7,999.....                                                        | 5             |
| \$8,000 - \$9,999.....                                                        | 6             |
| \$10,000 and over.....                                                        | 7             |

The amounts provided in this section shall be adjusted each January 1 after January 1, 1983 in accordance with the changes in building costs as indicated in the United States Department of Commerce Composite Cost Index for Construction Costs. Fair market value shall be determined by the Building Inspector.

- (b) All single family dwellings or single family mobilehomes as the exclusive use on a single lot of record are exempt from the provisions of this chapter. Said uses may be replaced, rebuilt or enlarged in compliance with housing standards provided in Chapter 3.8 or Chapter 5.10 if applicable.



#### SECTION 1.1201: ABANDONMENT

If any non-conforming use is abandoned for a period of one (1) year or more, then any subsequent use of the property shall conform to the regulations of the zoning district in which the property is located.

#### SECTION 1.1202: ALTERATIONS

If no structural alterations or enlargements are made, a non-conforming use of a building may, upon obtaining a conditional use permit in each case, be changed to another non-conforming use of the same or more restrictive use classification.

#### SECTION 1.1203: REPAIR AND MAINTENANCE

Any non-conforming building or structure, shall be allowed to be repaired and maintained but not enlarged to occupy a greater area provided that other provisions of this chapter are met.

#### SECTION 1.1204: REPLACEMENT

Any non-conforming building, mobile home, structure or use destroyed by fire, explosion, vandalism or other casualty or act of God may be rebuilt. If repair has not been completed or intent to repair verified within two (2) years, the building or use shall be considered abandoned.

#### SECTION 1.1205: LOTS OF RECORD

Any single lot or parcel of land, which was of record and a legal lot at the time of adoption of this chapter, but does not meet the requirements of the district in which it is located for minimum lot width and area, may be utilized for an allowable use, if all other requirements of this ordinance are met.

#### SECTION 1.1206: RECORD OF NON-CONFORMITIES

The Code Enforcement Officer shall ascertain the date upon which any non-conforming use was established or acquired and shall prepare a map showing the location of the non-conforming uses of structures or land. Upon determining that the use is a legally established non-conforming use, the Code Enforcement Officer shall prepare for each non-conforming use a file containing a "Grandfather Certificate" establishing the lawful use, the name and address of the owner and other information deemed appropriate by the Code Enforcement Officer. Copies of such certificate shall be provided to the owner and shall be recorded on the property with the County Clerk.

For uses established before September 16, 1982, where no proof can be offered that the use was legally established or not, such



use may be granted legal non-conforming use designation after first obtaining a Non-conforming Use Permit. Such Non-conforming Use Permit may be granted after the Planning Commission has determined that the use does not pose a health and safety problem or a public nuisance or a compliance schedule has been adopted to bring the use into compliance with standards to eliminate health, safety and public nuisance concerns.

## CHAPTER 1.13: ZONING ENFORCEMENT

### SECTION 1.1300: AUTHORIZATION

It shall be the duty of the Code Enforcement Officer to enforce the provisions of this Ordinance and other codes and statutes, local state and federal regarding the use of any land, building or structure.

### SECTION 1.1301: RESPONSIBILITY OF ZONING ENFORCEMENT OFFICER

The Code Enforcement Officer shall enforce the provisions of this Ordinance pertaining to the use of land or buildings and the erection, construction, reconstruction, moving, alteration or addition to any building or structure.

### SECTION 1.1302: CITATION AUTHORITY

The Code Enforcement Officer shall have the police power to issue written citations when zoning violations are not corrected pursuant to sections 1.1304 through 1.1311. The citation will state the municipal code section violated and will specify the date, time and place the violator is to appear in court to respond to the citation.

### SECTION 1.1303: PRIORITY OF INVESTIGATIONS

The Code Enforcement Officer shall investigate violations according to the following priority schedule:

- (a) Priority One (1): Violations of ordinances and statutes that constitute a hazard to health or safety, or pose a serious adverse impact to the environment.
- (b) Priority Two (2): Repeat violations or failure to comply with permit conditions.
- (c) Priority Three (3): All other violations.

### SECTION 1.1304: INITIAL INSPECTION

After inspection of a reported violation if it is founded, a determination shall be made whether voluntary compliance or immediate compliance is to be sought.

### SECTION 1.1305: VOLUNTARY COMPLIANCE

In voluntary compliance cases, a Priority 3 violation, the Code Enforcement Officer shall give verbal warning or a written "Notice of Zoning Violation".



(a) Verbal notice shall include:

- (i) Nature of the violation and section violated.
- (ii) An equitable date for voluntary compliance.

(b) Where written Notice of Violation is given, it shall include:

- (i) Name and address of violator
- (ii) Nature of the violation and section violated.
- (iii) Date for voluntary compliance.
- (iv) Name of Code Enforcement Officer and address and telephone number where he can be contacted.
- (v) Case number.

#### SECTION 1.1306: IMMEDIATE COMPLIANCE

In cases where immediate compliance is sought, Priority One (1) and Two (2) Violations, the violator and property owner shall be issued a written "Notice of Violation" and a letter requesting immediate compliance and an appeal application form shall be sent to the violator via the United States Postal Service, certified, return receipt requested.

#### SECTION 1.1307: FIRST REINSPECTION-VOLUNTARY COMPLIANCE

First reinspection shall occur after the designated date to determine if compliance has been accomplished or efforts have been made toward compliance. Where compliance has been accomplished it shall be noted and no further action is necessary.

#### SECTION 1.1308: FAILURE TO COMPLY

Where compliance has not been made the Code Enforcement Officer shall take the following actions:

- (a) Where compliance has not been accomplished and it has been determined the violator has in good faith made an effort to comply, the Code Enforcement Officer may grant the violator an extension of time. A written Notice of Zoning Violation shall be issued referencing the first notice or verbal warning and the extension date.
- (b) Where it appears no attempt has been made to comply, the Code Enforcement Officer shall send a letter requesting immediate compliance to the violator via the United States Postal Service, certified, return receipt requested. Reinspection of the violation shall proceed as if the violation was a Priority One or Two violation.



SECTION 1.1309: FIRST REINSPECTION - PRIORITY ONE OR TWO COMPLIANCE

Where compliance has been accomplished, it shall be noted in the case file and no further action is necessary. Where compliance has not been made, the Code Enforcement Officer shall advise the violator and property owner that legal action will be pursued, unless compliance has been accomplished by a designated date, by sending the violator a letter via the United States Postal Service certified, return receipt requested.

SECTION 1.1310: REINSPECTION OF PRIORITY TWO OR THREE VIOLATION

Reinspection shall again occur after the designated date to determine if compliance has been accomplished. Where compliance has been accomplished it shall be noted in the case file. Where compliance of the violation has not occurred, the violator or property owner will be issued a citation as described in Section 1302 or the case will be referred to the District Attorney if other legal action is necessary.

SECTION 1.1311: APPEAL PROCEDURES

Persons who have received a Notice of Violation may appeal said violation to the Planning Commission within seven (7) calendar days of the receipt of the Notice of Violation. The appeal shall be made on an application form as required by the planning department and accompanied by a fee set by resolution of the City Council.

SECTION 1.1312: INFRACTION AND PENALTY

Except as otherwise provided in this ordinance, any violation shall be considered an infraction pursuant to Section 19 (c) of the California Penal Code. Any person convicted of an infraction under this code shall be punishable by a fine not to exceed five hundred (500) dollars. In addition, each day such violation continues shall be regarded as a new and separate offense. The City may also refer any zoning violation to the District Attorney in order to obtain injunctive relief. All zoning violations shall be considered a public nuisance. In the case of a zoning violation involving a permit issued pursuant to this ordinance, the City may revoke or modify the permit subject to the requirements of Chapter 1.14.



## CHAPTER 1.14: REVOCATION OR MODIFICATION OF ZONING CLEARANCE AND PERMITS

### SECTION 1.1400: GROUNDS FOR REVOCATION OR MODIFICATION

Any zoning clearance or permit, may be revoked if any of the following apply:

- (a) That the zoning clearance or permit was obtained by fraud.
- (b) That one or more of the terms or conditions upon which a permit was granted has been violated.
- (c) That the use for which the permit was granted is so conducted as to be detrimental to the public health, safety, or welfare or as to be a nuisance.

### SECTION 1.1401: MODIFICATION OF PERMITS

In lieu of revocation, the Planning Commission or City Council may modify any permit by modifying existing, or adding new conditions.

### SECTION 1.1402: ORDERING OF HEARING

The hearing to consider revocation or modification of a permit may be ordered by the Planning Commission or the City Council. The order shall set forth the grounds for revocation or modification.

### SECTION 1.1403: PUBLIC HEARING REQUIREMENTS

Prior to the date of any hearing to revoke or modify a permit, the Planning Director shall:

- (a) Give notice of the public hearing in the manner provided by Section 1.601.
- (b) Serve a copy of the order and a written notice of the time and place of such hearing upon the person whose name and address appears as the owner of the premises on the latest tax roll of the County of Lake and upon the person in possession of the premise involved. Service of the notice and the order shall be made in the manner required by law for the service of a summons, or by registered or certified mail, postage prepaid.
- (c) Cause a copy of the order and a notice of the time and place of hearing and copy of the order to be sent to such public offices, departments or agencies who, in the opinion of the Planning Director, may be interested in the proceedings.

#### SECTION 1.1404: HEARING BY THE PLANNING COMMISSION

The Planning Commission shall have original jurisdiction over all permit revocations or modifications. At the public hearing the applicant, planning staff, Building Inspector and public shall have the right to present evidence concerning the revocation or modification of the permit. Upon considering the evidence presented, the Planning Commission shall render its decision as to whether the permit should be revoked or modified.

#### SECTION 1.1405: APPEAL

Any person dissatisfied with the decision of the Planning Commission may appeal to the City Council within seven (7) calendar days after the decision of the Planning Commission. The appeal may be initiated by filing a written appeal with the grounds upon which the appellant asserts the decision of the Planning Commission was in error. Upon the filing of such appeal and payment of a fee in an amount to be set by resolution of the City Council, the Planning Director shall transfer to the City Council the papers and documents applicable to the appeal.

#### SECTION 1.1406: THE HEARING BY THE CITY COUNCIL

Following an appeal of the Planning Commission's decision on revocation or modification of a permit, the City Council shall hold a public hearing on the merits of the revocation or modification. Following any such public hearing the City Council shall render its decision and may revoke or modify the permit. The decision of the City Council is final.



## CHAPTER 1.15: AMENDMENTS

### SECTION 1.1500: PURPOSE

The purpose of this chapter is to establish procedures for the amendment of this ordinance and Official Zoning Maps.

### SECTION 1.1501: PROCESS FOR AMENDMENT

Any amendment to this ordinance may be initiated by:

- (a) The filing with the Planning Commission of a Resolution of Intention of the City Council.
- (b) Passing a Resolution of Intention by the Planning Commission.
- (c) The filing with the Planning Commission of a Petition of Amendment by the Planning Director.
- (d) Filing with the Planning Commission of a Petition of Amendment by one or more owners of record, or their authorized agents, of property which is the subject of the proposed amendment.

### SECTION 1.1502: PUBLIC HEARING AND NOTICE

Upon receipt of a Resolution of Intention or Petition of Amendment, the Planning Commission shall set a date for a public hearing.

### SECTION 1.1503: DECISION AND RECOMMENDATION BY THE PLANNING COMMISSION

After the close of the public hearing, the Planning Commission shall make a decision on the proposed amendment. The Planning Department shall transmit a resolution containing the Planning Commission's recommendation and their findings, and a copy of the proposed amendment, to the City Council.

### SECTION 1.1504: CITY COUNCIL HEARING

Upon receipt of the recommendation of the Planning Commission, the City Council shall hold a public hearing and shall give notice as required by Chapter 1.6. However, if the proposed amendment changes property from one zone to another, and the Planning Commission has recommended against the adoption of said amendment, the City Council need not take any action, unless an interested party shall request a hearing by filing a written request with the Planning Director within seven (7) calendar days after the Planning Commission files its recommendation with the City Council. Notice of this hearing shall be made as required

by Section 1.601.

#### SECTION 1.1505: DECISION OF THE CITY COUNCIL

Following any hearing, the City Council may approve, modify or deny the recommendation of the Planning Commission. However, any modification of the proposed amendment by the City Council not previously considered by the Planning Commission during its hearing, shall be referred to the Planning Commission for report and recommendation. The Planning Commission shall not be required to hold a public hearing on the referral. Failure of the Planning Commission to report within forty (40) calendar days after the referral, shall be deemed to be approval of the proposed modification.

#### SECTION 1.1506: ABANDONMENT OF AMENDMENT

With the consent of the Planning Commission, any petition for amendment may be withdrawn at any time upon the written application of a majority of all persons who signed the petition. The City Council or the Planning Commission may by resolution abandon any proceedings for amendment initiated by its own resolution of intention, but only when such proceedings are before such body for consideration. Any hearing where public notice has been given shall be held.



## CHAPTER 1.16: DEVELOPMENT AGREEMENTS

### SECTION 1.1600: AUTHORITY FOR ADOPTION

These regulations are adopted under the authority of Government Code Sections 65864-65869.5.

### SECTION 1.1601: FORMS AND INFORMATION

- (a) The Planning Director shall prescribe the form for each application, notice and document provided for or required by these regulations for the preparation and implementation of development agreements.
- (b) The Planning Director may require an applicant to submit such information and supporting data as he considers necessary to process the application.

### SECTION 1.1602: FEES

The Clearlake City Council shall by resolution fix the schedule of fees and charges imposed for the filing and processing of each application and document provided for or required under this chapter.

### SECTION 1.1603: QUALIFICATION AS AN APPLICANT

Only a qualified applicant may file an application to enter into a development agreement. A qualified applicant is a person who has legal or equitable interest in the real property which is the subject of the development agreement or who meets all the requirements of Chapter 1.5 of this ordinance. The Planning Director may require an applicant to submit proof of his interest in the real property and of the authority of the agent to act for the applicant. Before processing the application, the Planning Director may obtain the opinion of the City Attorney as to the sufficiency of the applicant's interest in the real property to enter into the agreement.

### SECTION 1.1604: FORM OF AGREEMENT

Each application shall be prepared on the form established by the Planning Director with such additional alternatives or modifications or changes as may be proposed by the applicant and approved by the Planning Director.

### SECTION 1.1605: DUTY TO GIVE NOTICE

The Planning Director shall give public notice of intention to consider adoption of the development agreement.



#### SECTION 1.1606: DETERMINATION BY PLANNING COMMISSION

After the hearing by the Planning Commission, which may be held in conjunction with other required hearings for the project including conditional use permits or subdivision maps, the Planning Commission shall make its recommendation in writing to the City Council. The recommendation shall include the Planning Commission's determination whether or not the development agreement proposed:

- (a) Is consistent with the objectives, policies, general land uses and programs specified in the general plan and any applicable specific plan.
- (b) Is compatible with the uses authorized in, and the regulations prescribed for, the zoning district in which the real property is located.
- (c) Is in conformity with public convenience, general welfare and good land use practice.
- (d) Will not be detrimental to the public health, safety and general welfare.
- (e) Will not adversely affect the orderly development of property.
- (f) Will provide sufficient benefit to the City to justify entering into the agreement.

#### SECTION 1.1607: CITY COUNCIL HEARING

Following notice pursuant to Section 1.601, the City Council shall hold a public hearing. It may accept, modify or disapprove the recommendation of the Planning Commission. The City Council shall not approve the development agreement unless it adopts the findings contained in Section 1606 to support its action.

#### SECTION 1.1608: APPROVAL OF DEVELOPMENT AGREEMENT

If the City Council approves the development agreement, it shall do so by the adoption of an ordinance. After the ordinance approving the development agreement takes effect, the City of Clearlake may enter into the agreement.

#### SECTION 1.1609: INITIATION OF AMENDMENT OR CANCELLATION

Either party may propose an amendment to or cancellation in whole or in part of the development agreement previously entered into. If proposed by the applicant, the procedure for proposing and adoption of an amendment to or cancellation, in whole or in part of the development agreement, shall be the same as the procedure



for entering into an agreement. Where the City Council initiates the proposed amendment to or cancellation of the development agreement, it shall first give at least thirty (30) calendar days notice to the applicant of its intention to initiate such proceedings in advance of giving notice of the public hearing.

#### SECTION 1.1610: RECORDATION OF DEVELOPMENT AGREEMENT

- (a) Within ten (10) calendar days after the City of Clearlake enters into the development agreement, the Planning Director shall have the agreement recorded with the County Recorder.
- (b) If the parties to the agreement, or their successors in interest amend or cancel the agreement, or if the City of Clearlake terminates or modifies the agreement for failure of the applicant to comply in good faith with the terms or conditions of the agreement the Planning Director shall have notice of such action recorded with the County Recorder.

#### SECTION 1.1611: TIME FOR AND INITIATION OF REVIEW

The Planning Director shall review the development agreement at least once every twelve (12) months from the date the agreement is entered into. The Planning Director shall report the findings of his review to the Planning Commissioner and City Council. The time for review may be modified by agreement between the parties.

#### SECTION 1.1612: NOTICE OF PERIODIC REVIEW

The Planning Director shall begin the review proceeding by giving notice to the applicant that the City of Clearlake intends to undertake a periodic review of the development agreement. He shall give the notice at least thirty (30) calendar days in advance of the time the matter will be considered by the Planning Commission.

#### SECTION 1.1613: PUBLIC HEARING BY PLANNING COMMISSION

The Planning Commission shall conduct a public hearing at which time the property owner must demonstrate good faith compliance with the terms of the agreement. The burden of proof on this issue is upon the applicant.

#### SECTION 1.1614: FINDINGS UPON PUBLIC HEARING

The Planning Commission shall determine upon the basis of substantial evidence whether or not the applicant has, for the period under review, complied in good faith with the terms and conditions of the agreement. The Planning Commission shall report its findings of compliance to the City Council in the form of a recommendation.



#### SECTION 1.1615: PUBLIC HEARING BY CITY COUNCIL

The City Council shall conduct a public hearing to review the recommendation of the Planning Commission and to determine for itself based on substantial evidence if the applicant has complied in good faith with the terms and conditions of the agreement. The burden of proof on this issue is upon the applicant.

- (a) The review is concluded if the applicant has complied in good faith with the terms and conditions of the agreement during the period under review.
- (b) The City Council shall order the applicant to cure the default within sixty (60) calendar days if the applicant has not complied in good faith with the terms and conditions of the agreement during the period under review.

#### SECTION 1.1616: PROCEEDINGS FOR MODIFICATION OR TERMINATION

If the applicant fails to cure the default, the City Council may amend or terminate the agreement. The City Council shall give notice to the applicant of its intention to do so. The notice shall contain:

- (a) The time and place of the hearing.
- (b) A statement as to whether or not the City Council proposes to terminate or modify the development agreement.
- (c) Other information which the City Council considers necessary to inform the property owner of the nature of the proceeding.

#### SECTION 1.1617: HEARING ON MODIFICATION OR TERMINATION

At the time and place set for the hearing on modification or termination, the applicant shall be given an opportunity to be heard. The City Council may refer the matter back to the Planning Commission for further proceedings or for report and recommendation. The City Council may impose those conditions to the action it takes as it considers necessary to protect the interests of the City. The decision of the City Council is final.









## ARTICLE II: BASE ZONING DISTRICTS

This portion of the ordinance contains the chapters which establish the base zoning districts. Each zoning district establishes the types of uses allowed, the procedures for granting permits and the standards with which all uses must comply with.

## CHAPTER 2.1: BASE ZONE

### SECTION 2.100: PURPOSE

The purpose of the base zone is to promote development in Clearlake which is consistent with the policies and goals of the Clearlake General Plan.

### SECTION 2.101: ESTABLISHMENT OF BASE ZONE DISTRICTS

This section establishes the following base zone districts:

- (a) "SP" Specific Plan
- (b) "A" Restrictive Agriculture
- (c) "O" Park and Recreation
- (d) "RP" Resource Protection
- (e) "RR" Rural Residential
- (f) "BV" Burns Valley
- (g) "R-1" Low Density Residential
- (h) "R-3" High Density Residential
- (i) "MUR" Mixed Use Residential
- (j) "VA" Visitor Accommodation
- (k) "PA" Professional and Administrative Office
- (l) "C-1" Neighborhood Commercial
- (m) "C-2" Community Commercial
- (n) "C-3" Visitor Commercial
- (o) "C-4" Heavy Service Commercial/Light Industrial
- (p) "I" Industrial

### SECTION 2.102: DISTRICT REGULATIONS

Each district shall have its own set of permitted and conditional land uses along with specific standards for development. The requirements and standards of the base district shall apply to all development occurring in that zone unless there are different provisions in the combining district, in which case, the requirements in the combining district shall be applied. Further, when



a combining district is attached to a base district additional governmental review may be required.

## CHAPTER 2.2: "SP", SPECIFIC PLAN

### SECTION 2.200: PURPOSE

The purpose of this district is to provide a planning mechanism which allows large areas to be planned as a unit and allow a mixture of compatible land uses. Flexibility is essential to allow this format of planning. It must be implemented by a permit process that ensures new development is creative, compatible with the surrounding environment and implements the goals and policies of the Clearlake General Plan. Issues to be addressed are slope stability, traffic and access, drainage, scenic value, potential for contribution to Clearlake's open space, recreation, agriculture, employment, housing needs, utilities and public facilities and services.

### SECTION 2.201: PREPARATION OF SPECIFIC PLAN

Prior to the development of land within the specific plan district, a specific plan shall be prepared which conforms to the requirements of Government Code Sections 65450 through 65454. The specific plan may cover all or part of the territory within the specific plan district. The focus of each specific plan shall be to propose creative development projects which offer unique design characteristics not typical or possible in existing land use designations or zoning districts.

### SECTION 2.202: ALLOWABLE USES, DENSITIES AND DEVELOPMENT STANDARDS

The uses identified and the densities allowed shall be regulated by Table 1 of this chapter. After adoption of the specific plan, the development and construction plans, and the subdivision map, if required, shall provide standards and specification for the uses allowed in the plan.

### SECTION 2.203: ADOPTION OF SPECIFIC PLAN

Title 7, Article 8 of the California Government Code established the following adoption procedures for specific plans:

- (a) Initiation of a negative declaration or environmental impact report based on an initial study.
- (b) Planning Commission conduct a public hearing after providing a minimum of ten (10) calendar days notice published in the local newspaper.
- (c) Planning Commission makes a recommendation to the City Council through a resolution with an affirmative vote of the majority of the total voting membership of the Commission.



- (d) City Council conducts a public hearing after providing at least ten (10) calendar days notice published in the local newspaper.
- (e) The specific plan is adopted by the City Council. Any changes by the Council in the recommended plan must be referred back to the Planning Commission for reconsideration and recommendation to the City Council per Section 65356 of the Government Code.

#### SECTION 2.204: ADMINISTRATION OF LAND DEVELOPMENT

Once a specific plan has been adopted, the development of land covered by the specific plan shall occur according to three different processes. These processes are:

- (a) Division of Property

Once an area is designated as a specific plan area, no land divisions shall occur until a specific plan for the area has been prepared and approved. After a specific plan has been adopted, large acreage parcels may be created that respect the elements of the specific plan. The intent of this procedure is to allow the creation of large acreage parcels which can later be developed under the provisions of the plan. These procedures are not intended to allow the subdivision and resale of lots.

Creation of acreage parcels may follow land use boundaries established in the specific plan, or they may be created within these zones if they respect the natural features of the land (e.g. the drainage corridors, significant changes in slope, etc.) and the circulation corridors defined in the plan. The required application process for land division is the established process defined in the City's subdivision regulations.

- (b) Subdivision and Development Plans

These procedures are intended to allow for subdivision into buildable lots and further refinement of the specific plan. The application procedure for each phase of development follows:

- (i) Tentative Subdivision Map and Development Plan Submittal:

A tentative subdivision map and development plan shall be filed for every phase of development, unless a subdivision map is not required by State law or City ordinance (see Section 2.200(d)) for the type of development proposed. Staff recommendations shall include



determination of consistency with the specific plan. The tentative subdivision map shall include all items required by the City's subdivision ordinance and shall be processed according to established subdivision procedures. Once the tentative subdivision map and development plan are approved, they shall become a part of the specific plan.

(ii) The Development Plan shall include:

- a) Location and uses of each proposed structure, number of stories, gross density and percentage of open space.
- b) Preliminary drainage plan.
- c) Topographic map with cross sections and sketches to show proposed method of adopting roads and structures to the site.
- d) Preliminary grading plan.
- e) Preliminary vegetation protection and landscaping plan which includes natural areas to be preserved, location of existing trees and their size, vegetation to be retained, and narrative on proposed revegetation.
- f) Circulation plan showing street sizes and alignments.
- g) Location of other major public facilities or private amenities serving the project.

(c) Construction Plan

- (i) Prior to granting a building permit and after the tentative subdivision map and development plan are approved, a preliminary construction plan shall be submitted for approval. The same procedures of processing a conditional use permit (Chapter 1.8) shall apply in reviewing the construction plan unless four (4) or fewer residential units are proposed.
- (ii) When four (4) or fewer residential units are proposed the same procedures of approving a site plan review permit (Chapter 1.7) shall apply. The construction plans may also be filed at the same time the tentative subdivision map and development plan are filed. Once adopted the construction plan shall become a part of the specific plan. Construction plans shall include:



- a) Precise building locations on each lot.
- b) Temporary and permanent erosion control plan consistent with specific plan requirements.
- c) Architectural details including bulk and height of structures and sketches which depict architectural style and materials and approximate location of entrances to all buildings or facilities.
- d) Detailed landscaping plan including maintenance plan.
- e) Parking area plans including material to be used, landscaping and number of spaces.
- f) Construction period schedule.
- g) Construction activity limitations to prevent disturbance of drainage swales, vegetation, and streams.
- h) Detailed drainage plan consistent with specific plan requirements, sized and designed by a registered engineer unless a small scale development project is involved and the requirement is waived by the Planning Director.
- i) Final grading plan.
- j) Detailed plans for any public facility including fire stations, utility facilities, hydrants, street lights, and recreational facilities.
- k) If a homeowners' association is proposed. the method of formation and the duties of the group.

(d) Development of Land When Subdivision Is Not Required

If subdivision approval is not required prior to the construction of a land use that is permitted in the specific plan, the construction activity may commence after a development plan and construction plan are submitted and approved. The same procedure of processing a condition use permit (Chapter 1.8) shall apply in reviewing the construction and development plans.

TABLE 1

## POPULATION DENSITY AND BUILDING INTENSITY

| LAND USE<br>CATEGORY               | POPULATION<br>DENSITY<br>PER ACRE | BUILDING INTENSITY                                                                                                                                                              |
|------------------------------------|-----------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Very Low<br>Residential            | .23 - 2.5                         | 1 Residential Unit for each<br>10 to 1 1/4 acres                                                                                                                                |
| Burns Valley                       | Up to 4.6                         | 1 Residential Unit for each 1.2 ac.                                                                                                                                             |
| Low<br>Residential                 | 2.5 - 8.7                         | 1 Residential Unit for each 1 1/4<br>acres to 5,000 square feet                                                                                                                 |
| Multiple<br>Family                 | Up to 46.6                        | 1 Residential Unit for each 2,000<br>square feet                                                                                                                                |
| Visitor<br>Accommodation           | Up to 46.6                        | 1 Residential Unit for each<br>2,000 square feet                                                                                                                                |
| Visitor<br>Services/<br>Commercial | Up to 46.                         | 1 Residential Unit for each 2,000<br>square feet. 1 Commercial<br>Building for each 3,000 square feet                                                                           |
| Commercial                         | Up to 46.6                        | Commercial Building for each 2,000<br>square feet. Building coverage<br>shall not exceed 60 percent                                                                             |
| Visitor<br>Services                | None                              | 1 Commercial Building for each<br>3,000 square feet. Building<br>coverage for all multi-family<br>structures, hotels, motels and<br>resorts shall not exceed 60 percent         |
| Civic and<br>Office                | Up to 8.7                         | 1 Civic or Office Building for each<br>5,000 square feet. Building height<br>shall be limited to 35 feet unless<br>a conditional use permit is secured                          |
| Industrial                         | None                              | Industrial Building for each 5,000<br>square feet. Building height shall<br>be 35 feet unless a conditional use<br>permit is secured                                            |
| Parks                              | None                              | Federal and State Land: 40 acres;<br>Local Government Land: 5,000 square<br>feet; Privately Owned Land:<br>Existing parcel size. Building<br>height shall be limited to 35 feet |



TABLE 1 (continued)

## POPULATION DENSITY AND BUILDING INTENSITY

| LAND USE<br>CATEGORY         | POPULATION<br>DENSITY<br>PER ACRE | BUILDING INTENSITY                               |
|------------------------------|-----------------------------------|--------------------------------------------------|
| Resource<br>Protection Areas | Up to 46.6                        | 1 Residential Unit for each 2,000<br>square feet |
| Agriculture                  | .23                               | 1 Residential Unit for each 10<br>acres          |

Note: Building intensity refers to the smallest possible building or lot size area permissible in the absence of any environmental or man-made constraints (See policy 6.05 General Plan of the City of Clearlake).

## CHAPTER 2.3: "A", RESTRICTIVE AGRICULTURE

### SECTION 2.300: PURPOSE

The purpose of this district is to: preserve land for agriculture; serve as a holding zone for future urban development; and, prevent the encroachment of urban uses or incompatible agriculturally-related uses.

### SECTION 2.301: PERMITTED USES

- (a) Single family dwelling.
- (b) Single family mobile home unit .
- (c) Growing and harvesting of trees, vines, vegetables, field crops, grains, pasture and other agricultural commodities.
- (d) Raising of livestock, including but not limited to sheep, goats, horses, mules, and swine.
- (e) Raising of poultry.
- (f) Raising of rabbits and other fur-bearing animals.
- (g) Sale of agricultural products, including sale at roadside stands, if the products are produced on the property where the sale is conducted.
- (h) Agricultural service establishments primarily engaged in performing agricultural animal husbandry or horticultural services including, but not limited to large animal veterinary practices, blacksmiths, farm management offices, custom meat cutting, and other agriculturally dependent uses which are of a similar character and not substantially different from the list above.
- (i) Open space uses including, but not limited to wildlife habitat, wetlands, and game preserves but not including hunting clubs.
- (j) Bee keeping.
- (k) Agricultural processing such as fruit dehydrators and packing sheds not exceeding a use area of five thousand (5,000) square feet.
- (l) Greenhouses, hothouses, and similar types of buildings not to exceed a use area of ten thousand (10,000) square feet.



SECTION 2.302: PERMITTED USES WITH A SITE PLAN REVIEW PERMIT

- (a) Second residential unit consistent with the requirements of Chapter 4.3.
- (b) Home occupations consistent with the requirements of Chapter 4.2.

SECTION 2.303: CONDITIONAL USES

- (a) Resource extraction and energy development uses.
- (b) Winery
- (c) Concentrated livestock or poultry raising operation.
- (d) Greenhouses, hothouses and similar types of buildings which exceed a use area of ten thousand (10,000) square feet.
- (e) Uses generally allowed in Chapter 4.6.

SECTION 2.304: MINIMUM LOT SIZE

The minimum lot size shall be ten (10) acres.

SECTION 2.305: HEIGHT LIMITATIONS

The maximum height of a structure shall be thirty five (35) feet unless the structure is a water tank, silo, granary, wind machine or other agricultural accessory building. These exceptions can extend to eighty (80) feet. Structures over thirty five (35) feet may be allowed with a conditional use permit.

SECTION 2.306: SETBACK DISTANCES

- (a) Front Yard: Thirty five (35) feet .
- (b) Rear Yard: Twenty five (25) feet except as otherwise specified there shall be no rear yard setback on properties which abut Clear Lake or Cache Creek.
- (c) Side Yard: Fifteen (15) feet except on a corner lot where the street side yard shall be thirty (30) feet.

SECTION 2.307: GENERAL STANDARDS

All development shall be consistent with the requirements of Article V: Development Standards related to accessory structures, density bonus, parking, signs, performance standards, street improvements, landscaping, fences, walls and hedges, satellite dishes, residential housing standards, general development standards, and environmental protection.

## CHAPTER 2.4: "O", PARK AND RECREATION

### SECTION 2.400: PURPOSE

The purpose of this district is to allow for sufficient space to accommodate the community's need for a wide range of public uses, such as parks, playgrounds, cultural and educational activities; to protect lands whose primary purpose is to remain in open space such as wildlife sanctuaries, wetlands, reservoirs, forests, and agriculture; and, to prevent development of areas which are environmentally sensitive, such as flood plains, steep slopes, and geologically hazardous sites.

### SECTION 2.401: PERMITTED USES

- (a) Parks, playgrounds, campgrounds and botanical gardens.
- (b) Forests, wetlands, wildlife habitat, and reservoirs.
- (c) Growing and harvesting of agricultural crops. and timber.

### SECTION 2.402: CONDITIONAL USES

- (a) Museums, civic auditoriums, theaters, galleries, and historical sites, library and community centers.
- (b) Parking lots.
- (c) Resource extraction and energy development uses.
- (d) Growing and harvesting of timber.
- (e) Grazing of livestock.
- (f) Uses generally allowed in Chapter 4.6.

### SECTION 2.403: MINIMUM LOT SIZE

- (a) Federal or State lands: Forty (40) acres.
- (b) City, county, or special district lands: Five thousand (5,000) square feet.
- (c) Privately owned lands: Existing parcel size at time of reclassification to this zone.

### SECTION 2.404: HEIGHT LIMITATIONS

The maximum height of a structure shall be thirty five (35) feet.



#### SECTION 2.405: SETBACK DISTANCES

- (a) Front yard: Thirty five (35) feet .
- (b) Rear Yard: Twenty (20) feet except as otherwise specified there shall be no rear yard setback on properties which abut Clearlake or Cache Creek.
- (c) Side Yard: Fifteen (15) feet except on a corner lot where the street side yard shall have a setback of 30 feet.

#### SECTION 2.406: GENERAL STANDARDS

All development shall be consistent with the requirements of Article V: Development Standards related to accessory structures, density bonus, parking, signs, performance standards, street improvements, landscaping, fences, walls and hedges, satellite dishes, residential housing standards, general development standards, and environmental protection.

## CHAPTER 2.5: "RP", RESOURCE PROTECTION

### SECTION 2.500: PURPOSE

The purpose of this district is to allow development in environmentally sensitive areas compatible with the environmental constraints of these lands. The design and density of developments shall take into consideration the physical limitations, visual amenities, potential for wildland fires and natural resources of this mountainous environment.

### SECTION 2.501: PERMITTED USES

- (a) Single family dwelling .
- (b) Single family mobile home .
- (d) Growing and harvesting of trees, vines, vegetables, field crops, grains, pasture and other agricultural commodities.
- (e) Raising of livestock, including but not limited to sheep, goats, horses, mules, and swine. The total number of animals shall not exceed two (2) mature animals per acre except in the case of newborns still with their mother. Newborns up to weaning age still with their mother shall not be considered a part of this calculation.
- (f) Raising of poultry .
- (g) Raising of fur-bearing animals providing that there are no more than sixty (60) mature animals per acre on the property at any one time.
- (h) Sale of agricultural products, including sale at roadside stands, if the products are produced on the property where the sale is conducted.
- (i) Open space uses including, but not limited to wildlife habitat, wetlands, and game preserves but not including hunting clubs.

### SECTION 2.502: PERMITTED USES WITH A SITE PLAN REVIEW PERMIT

- (a) Home occupations consistent with the requirements of Chapter 4.2.
- (b) Bee keeping (one (1) acre or more).

### SECTION 2.503: CONDITIONAL USES

- (a) Mobile home park consistent with the requirements of Chapter 4.1.



- (b) Multiple family development up to a density not to exceed twenty (20) units per acre.
- (c) Recreational vehicle park.
- (d) Campgrounds.
- (e) Golf course.
- (f) Shooting or gun range.
- (g) Equestrian establishment.
- (h) Guest ranch.
- (i) Resource extraction and energy development.
- (j) Uses generally permitted by Chapter 4.6.

#### SECTION 2.504: SPECIAL FILING REQUIREMENTS

In addition to the site plan review requirements, the Planning Director may require additional information including the following:

- (a) If sewage disposal systems are proposed which use septic tanks, leach lines or other similar means of disposal, Lake County Health Department approval of the design and method of disposal shall be submitted .
- (b) Depth to bedrock test results (soil borings) not to exceed ten (10) feet in depth.
- (c) Data pertaining to the constant pumping of an on-site well . This test shall be conducted by a registered civil engineer or a licensed well drilling firm.
- (d) A map drawn to the scale of one inch equals one hundred (100) feet with contours plotted at five (5) foot intervals. This map shall provide the following slope categories:
  - (i) Slopes greater than thirty (30) percent .
  - (ii) Slopes from fifteen (15) to thirty (30) percent.
  - (iii) Slopes of less than fifteen (15) percent.
- (e) A preliminary grading and slope stabilization plan prepared for areas where the proposed cut or fill will exceed five (5) feet, to the satisfaction of the City Engineer, by a licensed civil engineer for that portion of the site which

is to be disturbed. The grading and stabilization plan shall contain the following information:

- (i) A plan for stabilization. If the plan includes landscaping, the types of plant material to be used.
  - (ii) The location of all native oak trees in the area to be disturbed which have a trunk diameter of fourteen (14) inches or more.
- (f) A preliminary drainage plan that indicates the pattern of storm water run-off and explains how natural water courses will be protected against sediment overloading and contamination prepared to the satisfaction of the City Engineer
- (g) A fire protection plan which indicates how potential hazards of structural or wildland fire will be minimized.

#### SECTION 2.505: NET DEVELOPABLE AREA

In determining the net developable land of a residential or recreational project requiring a conditional use permit, the following areas shall be subtracted from the gross project area:

- (a) Slopes greater than thirty (30) percent.
- (b) Marshes, wetlands, floodways, watercourses or riparian corridors.
- (c) Rights-of-way.
- (d) Soil or geological conditions which present hazardous development potential.
- (e) Significant wildlife habitat, archaeological and historical sites, or other unique physical features consistent with the intent of the Clearlake General Plan.

#### SECTION 2.506: DENSITY

After determining the net developable area, the maximum density or magnitude of a project shall be established by determining the suitability of adequate on-site waste water disposal, if applicable, and domestic water supply. The appropriate density determination shall be established by using data gained from Section 2.504 and acceptable civil engineering calculations.

#### SECTION 2.507: HEIGHT LIMITATIONS

The maximum height limit of structures shall be thirty five (35) feet.



## SECTION 2.508: SETBACK DISTANCES

- (a) Front yard: Twenty (20) feet .
- (b) Rear yard: Ten (10) feet except as otherwise specified there shall be no rear yard setback on property which abuts Clearlake and Cache Creek.
- (c) Side yard: Five (5) feet per story except on a corner lot where the street side shall have a set back of ten (10) feet.
- (d) Water courses: No building improvements including but not limited to residences, accessory buildings, fences, or septic tank leach line systems shall be permitted within twenty (20) feet of a intermittent water course and fifty (50) feet from a blue line creek as determined by USGS maps. Said distances shall be measured from the top of the water course bank which is defined as the upper elevation of land having a slope not exceeding ten (10) percent and which confines waters which flow during a normal winter runoff.

## SECTION 2.509: DEVELOPMENT STANDARDS

All development shall be consistent with the requirements of Article V: Development Standards for accessory structures, density bonus, parking, signs, performance standards, street improvements, landscaping, fences, wall and hedges, satellite dishes, residential housing standards, general development standards, and environmental protection, and shall conform to the following development standards . The Site Plan Review Committee may recommend to the Planning Commission deletion or modification of standards in order to further the purpose of this district and the policies of the Clearlake General Plan.

### (a) Open Space:

Any portion of a development site which is adjacent to a water course area, within a floodway, contains slopes greater than thirty (30) percent, or exhibits significant environmental, archaeological or historically sensitive areas, shall remain in open space.

### (b) Grading standards:

- (i) All disturbed slopes shall be graded so that they are contoured to blend with the natural slopes remaining on and around the site.
- (ii) All cut and fill slopes shall be graded and shaped to resemble the natural topography. Exposed slopes shall



be stabilized with vegetation.

(iii) Cut and fill activity shall not extend into natural water courses or constructed channels. Excavated materials shall not be stored in water channels.

(c) Erosion control:

Water born sediment shall be retained on site by means of sediment basins.

(d) Drainage:

A drainage plan shall be designed to detain or retain as much storm water run-off on site as possible in order to prevent down stream flooding and sedimentation of local water courses.

(e) Waste Water Disposal:

Any project which uses a waste water disposal system other than an on-site system, such as a septic tank and leach lines, shall be required to annex to or be served by a public entity which provides waste water disposal.

(f) Fire Protection:

(i) Water supply for fire protection purposes shall be available in sufficient quantity and pressure to serve the project.

(ii) House numbers shall be clearly visible from the street.

(iii) Sufficient clearance of flammable vegetation around buildings shall be provided and maintained.

(iv) Fuel breaks and greenbelts shall be utilized to protect both developed areas and adjacent undeveloped areas.

(v) Applicants shall be encouraged to take maximum advantage of planned or existing parks, golf courses, tennis courts and other recreational areas to provide a buffer zone between developed areas and non-developed areas.

(vi) All streets shall be designed to provide for safe evacuation of residents and adequate access to fire and other emergency equipment.

(vii) All bridges proposed for vehicular access shall be designed for a minimum load limit of at least forty thousand (40,000) pounds.



## CHAPTER 2.6: "R-R", RURAL RESIDENTIAL

### SECTION 2.6: PURPOSE

The purpose of this district is to allow for low density residential development on large lots in order to preserve the rural character of Clearlake, allow for agricultural uses and serve as a transition area between urbanizing lands and agriculture.

#### SECTION 2.601: PERMITTED USES

- (a) Single family dwelling.
- (b) Single family mobile home unit.
- (c) Small family day-care home.
- (d) Small family care home.
- (e) Growing and harvesting of agricultural products compatible with residential uses.
- (f) Raising of livestock, including but not limited to sheep, goats, horses, mules, and swine. The total number of animals shall not exceed two (2) mature animal per acre except in the case of newborns still with their mothers. Newborns up to the weaning age still with their mothers shall not be considered a part of the calculation.
- (g) Raising of poultry or fowl providing that there are not more than ten (10) birds per half acre and the total does not exceed fifty (50) birds.
- (h) Raising of fur-bearing animals providing that there are no more than ten (10) mature animals per acre at any one time.

#### SECTION 2.602: PERMITTED USES WITH SITE PLAN REVIEW

- (a) Second residential units consistent with the requirements of Chapter 4.3.
- (b) Home occupations consistent with the requirements of Chapter 4.2.
- (c) Commercial bee keeping (one (1) acre or more).
- (d) Sale of agricultural products including sale at roadside stands if the products are produced on property where the sale is conducted.

#### SECTION 2.603: CONDITIONAL USES

- (a) Large family day-care home.
- (b) Community care facility.
- (c) Resource extraction and energy development uses.
- (d) Kennel, commercial or hobby.
- (e) Greenhouses.
- (f) Raising of livestock, poultry and fur-bearing animals which exceed the density requirements of Section 2.601.
- (g) Veterinary hospital/clinic.
- (h) Uses generally allowed by Chapter 4.6.

#### SECTION 2.604: MINIMUM LOT SIZE

The minimum lot size shall be one and a quarter (1.25) acre. This district may be modified to allow for larger minimum lot sizes as follows:

- (a) RR-2.5, Two and one half (2.5) acres
- (b) RR-5, Five (5) acres

#### SECTION 2.605: HEIGHT LIMITATIONS

The maximum height of a structure shall be thirty five (35) feet. An accessory structure exceeding thirty-five (35) feet may be allowed with a conditional use permit.

#### SECTION 2.606: SETBACK DISTANCES

- (a) Front Yard: Twenty (20) feet.
- (b) Rear Yard: Ten (10) feet except as otherwise specified there shall be no rear yard setback on property which abuts Clear Lake or Cache Creek.
- (c) Side Yard: Five (5) feet except on a corner lot where the street side yard shall have a setback of ten (10) feet.

#### SECTION 2.607: DEVELOPMENT STANDARDS

All development shall be consistent with the requirements of Article V: Development Standards related to accessory structures, density bonus, parking, signs, performance standards, street improvements, landscaping, fences, walls and hedges, satellite



dishes, residential housing standards, general development standards, and environmental protection.

## CHAPTER 2.7: "BV", BURNS VALLEY

### SECTION 2.700: PURPOSE

The purpose of this district is to maintain the rural character of the Burns Valley Area. Agricultural uses will be allowed if compatible with residential uses.

### SECTION 2.701: PERMITTED USES

- (a) Growing and harvesting of agricultural products.
- (b) Raising of livestock, including but not limited to sheep, goats, horses, mules, and swine. The total number of animals shall not exceed one (1) mature animal per acre except in the case of newborns still with their mother. Newborns up to the weaning age still with their mother shall not be considered a part of this calculation.
- (c) Raising of poultry or fowl providing that there are not more than five (5) birds per half acre and the total does not exceed fifty (50) birds.
- (d) Raising of fur-bearing animals providing that there are no more than ten (10) mature animals per acre at any one time.
- (e) Sale of agricultural produce, including sale at roadside stands, if the produce is produced on the property where the sale is conducted.
- (f) Small family day care home.
- (g) Small family care home.

### SECTION 2.702: PERMITTED USES WITH A SITE PLAN REVIEW PERMIT

- (a) Single family dwelling.
- (b) Single family mobile home unit.
- (c) Home occupations consistent with the requirements of Chapter 4.2.
- (d) Second residential unit consistent with the requirements of Chapter 4.3.
- (e) Bee keeping (one (1) acre or more).

### SECTION 2.703: CONDITIONAL USES

- (a) Large family day care home.



- (b) Community care facility.
- (c) Winery.
- (d) Raising of livestock, poultry and fur-bearing animals which exceed the density requirements of Section 2.701.
- (e) Kennel, hobby or commercial.
- (f) Greenhouses, hothouses and similar types of buildings.
- (g) Uses generally allowed in Chapter 4.6.

#### SECTION 2.704: MINIMUM LOT SIZE

The minimum lot sizes shall be governed by the following conditions:

- (a) Twenty thousand (20,000) square feet per lot with either off-site sewer or water.
- (b) One (1) acre per lot if both sewer and water are on site.

#### SECTION 2.705: LOT WIDTH

Eighty (80) feet for an interior lot and ninety (90) feet for a corner lot.

#### SECTION 2.706: HEIGHT LIMITATIONS

The maximum height shall be thirty five (35) feet. An agricultural accessory structure exceeding thirty five (35) feet may be allowed with a conditional use permit.

#### SECTION 2.707: SETBACK DISTANCES

- (a) Front yard: Twenty (20) feet.
- (b) Rear yard: Ten (10) feet except as specified there shall be no rear yard setback on property which abuts Clearlake or Cache Creek.
- (c) Side yard: Five (5) feet except on a corner lot where the street side yard shall have a setback of ten (10) feet.

#### SECTION 2.708: GENERAL STANDARDS

All development shall be consistent with the requirements of Article V: Development Standards related to accessory structures, density bonus, parking, signs, performance standards, street improvements, landscaping, fences, walls and hedges, satellite dishes, residential housing standards, general development

standards, and environmental protection.



## CHAPTER 2.8: "R-1", LOW DENSITY RESIDENTIAL

### SECTION 2.800: PURPOSE

The purpose of this district is to provide residential areas within Clearlake which allow low density concentrations of single family homes and compatible uses. This zone shall promote an environment which is free of traffic and parking congestion, significant noise levels, and uses which are not complementary to residential neighborhoods.

### SECTION 2.801: PERMITTED USES

- (a) Single family dwelling.
- (b) Single family mobile home unit.
- (c) Small family day-care home.
- (d) Family care home.

### SECTION 2.802: PERMITTED USES WITH A SITE PLAN REVIEW PERMIT

- (a) Duplex.
- (b) Second residential unit consistent with the requirements of Chapter 4.3.
- (c) Home occupations consistent with the requirements of Chapter 4.2.

### SECTION 2.803: CONDITIONAL USES

The following uses shall require a conditional use permit.

- (a) Mobile home parks consistent with the requirements of Chapter 4.1.
- (b) Large family day-care home.
- (c) Community care facility.
- (d) Bed and breakfast inn.
- (e) Uses generally allowed in Chapter 4.6.

### SECTION 2.804: MINIMUM LOT SIZE

The minimum lot sizes per dwelling unit shall be governed by the following conditions:

- (a) Five thousand (5000) square feet with off-site community

sewer and water.

- (b) Fifteen thousand (15,000) square feet with either on-site sewer or water.
- (c) Forty thousand (40,000) square feet with on-site sewer and water.

#### SECTION 2.805: ZONE MODIFICATIONS

This zone may be modified to allow larger minimum parcel sizes as follows:

- (a) R-1-6: Six thousand (6000) square feet.
- (b) R-1-10: Ten thousand (10,000) square feet.
- (c) R-1-20: Twenty thousand (20,000) square feet.

#### SECTION 2.806: COVERAGE

The building coverage for each lot shall not exceed sixty (60) percent, except in the case of a two-story building in which case, when it shall not exceed fifty (50) percent.

#### SECTION 2.807: LOT WIDTH

- (a) R-1:

Fifty (50) feet interior lot and sixty (60) feet for a corner lot.

- (b) R-1-6:

Sixty (60) feet interior lot and seventy (70) feet for a corner lot.

- (c) R-1-10:

Seventy-five (75) feet for an interior lot and eighty (80) feet for a corner lot.

- (d) R-1-20:

Ninety (90) feet for an interior lot and one-hundred (100) feet for a corner lot.

#### SECTION 2.808: HEIGHT LIMITATIONS

The maximum height of a structure shall be thirty five (35) feet.



## SECTION 2.809: SETBACK DISTANCES

- (a) Front Yard: Twenty (20) feet..
- (b) Side Yard: Five (5) feet
  - (i) Except on the street side yard of a corner lot where the setback shall be no less than ten (10) feet.
  - (ii) Where a garage or carport is oriented to the street side yard of a corner lot the minimum setback shall be fifteen (15) feet.
  - (iii) A zero side yard is allowed when two (2) units are constructed simultaneously with a common wall and their opposite side yards each have a minimum setback distance of ten (10) feet.
- (c) Rear Yard: Ten (10) feet except as otherwise specified there shall be no rear yard setback on property which abuts Clear Lake or Cache Creek.

## SECTION 2.810: GENERAL STANDARDS

All development shall be consistent with the requirements of Article V: Development Standards related to accessory structures, density bonus, parking, signs, performance standards, street improvements, landscaping, fences, walls and hedges, satellite dishes, residential housing standards, general development standards, and environmental protection.

## CHAPTER 2.9: "R -3", HIGH DENSITY RESIDENTIAL

### SECTION 2.900: PURPOSE

The purpose of this district is to provide an area in Clearlake appropriate for high density concentrations of multiple family units, allow a mix of residential uses and promote an efficient use of urban land designated for residential development.

### SECTION 2.901: PERMITTED USES

- (a) Single family dwelling.
- (b) Single family mobile home unit.
- (c) Small family day-care home.
- (d) Small family care home.
- (e) Duplexes.

### SECTION 2.902: PERMITTED USES WITH A SITE PLAN REVIEW PERMIT

- (a) Multiple family residential units up to a density not to exceed ten (10) units per acre.
- (b) A second residential unit consistent with the requirements of Chapter 4.3.
- (c) Home occupations consistent with the requirements of Chapter 4.2.

### SECTION 2.903: CONDITIONAL USES

The following uses shall require a conditional use permit.

- (a) Multiple family residential units up to a density not to exceed twenty (20) units per acre.
- (b) Boarding or rooming facilities.
- (c) Mobile home parks consistent with the requirements of Chapter 4.1.
- (d) Large family day-care home.
- (e) Community care facility.
- (f) Bed and breakfast inn.
- (g) Uses generally allowed in Chapter 4.6.



#### SECTION 2.904: DENSITY

The maximum density for this district shall be two thousand (2000) square feet per dwelling except as otherwise stipulated in Chapter 5.2.

#### SECTION 2.905: MINIMUM LOT SIZE

The minimum lot size shall be five thousand (5000) square feet.

#### SECTION 2.906: COVERAGE

The maximum site area covered by buildings shall not exceed sixty (60) percent.

#### SECTION 2.907: HEIGHT LIMITATIONS

The maximum height of structures shall be forty-five (45) feet. Where chimneys, silos, cupolas, flagpoles, monuments, gas storage holders, radio and other towers, water tanks, church steeples, and similar structures and mechanical appurtenances are permitted in a district, height limits may be exceeded upon securing a use permit.

#### SECTION 2.908: LOT WIDTH

Fifty (50) feet for an interior lot and sixty (60) feet for a corner lot.

#### SECTION 2.909: SETBACK DISTANCES

- (a) Front Yard: Twenty (20) feet .
- (b) Side Yard: The minimum setback per story shall be five (5) feet except in the following cases:
  - (i) The street side yard of a corner lot shall be ten (10) feet.
  - (ii) A zero side yard is allowed when two (2) units are constructed simultaneously with a common wall and their opposite side yards each have a minimum width of ten (10) feet.
- (c) Rear Yard: Ten (10) feet except as otherwise specified there shall be no rear yard setbacks on property which abuts Clear Lake or Cache Creek.

#### SECTION 2.910: GENERAL STANDARDS

All development shall be consistent with the requirements of Article V: Development Standards related to accessory structures,

density bonus, parking, signs, performance standards, street improvements, landscaping, fences, walls and hedges, satellite dishes, residential housing standards, general development standards, and environmental protection.



## CHAPTER 2.10: "M-U-R", MIXED USE RESIDENTIAL

### SECTION 2.1000: PURPOSE

The purpose of this district is to implement the general plan which allows a mixture of single family residential, multiple family dwellings and visitor oriented housing in specified areas.

### SECTION 2.1001: PERMITTED USES

- (a) Single family dwelling.
- (b) Single family mobile home unit .
- (c) Small family day care-home .
- (d) Small family care home .

### SECTION 2.1002: PERMITTED USES WITH A SITE PLAN REVIEW PERMIT

- (a) Multiple family residential units up to a density not to exceed ten (10) units per acre.
- (b) Second residential unit consistent with the requirements of Chapter 4.3.
- (c) Home occupations consistent with the requirements of Chapter 4.2.

### SECTION 2.1003: CONDITIONAL USES

- (a) Mobile home parks consistent with the requirements of Chapter 4.1.
- (b) Large family day care-home.
- (c) Community care facility.
- (d) Multiple family residential units up to a density not to exceed twenty (20) units per acre.
- (e) Bed and breakfast inn.
- (f) Hotels, motels and inns.
- (g) Commercial uses which are incidental and contained within a hotel or motel.
- (h) Recreational vehicle park.
- (i) Resorts.

(j) Camp and campgrounds.

(k) Uses generally allowed in Chapter 4.6.

#### SECTION 2.1004: MINIMUM LOT SIZE

The minimum lot size shall be five thousand (5,000) square feet.

#### SECTION 2.1005: COVERAGE

The building coverage for each lot shall not exceed sixty (60) percent.

#### SECTION 2.1006: HEIGHT LIMITATIONS

The maximum height of a structure shall be twenty five (25) feet. Structures between twenty-five (25) and thirty five (35) feet in height may be allowed through site plan review. Structures greater than thirty five (35) feet may be allowed with a conditional use permit.

#### SECTION 2.1007: SETBACK DISTANCES

(a) Front Yard: Twenty (20) feet .

(b) Side Yard: Five (5) feet per story except in the following cases.

(i) The street side of a corner lot shall be ten (10) feet.

(ii) A zero side yard is allowed when two (2) units are constructed simultaneously with a common wall and their opposite side yards each have a minimum width of ten (10) feet.

(c) Rear Yard: Ten (10) feet except as otherwise specified there shall be no rear yard setback on property which abuts Clear Lake or Cache Creek.

#### SECTION 2.1008: GENERAL STANDARDS

All development shall be consistent with the requirements of Article V: Development Standards related to accessory structures, density bonus, parking, signs, performance standards, street improvements, landscaping, fences, walls and hedges, satellite dishes, residential housing standards, general development standards, and environmental protection.



## CHAPTER 2.11: "V-A", VISITOR ACCOMMODATION

### SECTION 2.1100: PURPOSE

The purpose of this district is to implement the general plan by providing accommodations for the traveling and vacationing public. This district shall promote development which maintains open vistas to Clear Lake and to the greatest extent possible promote public access to the shores of the lake.

### SECTION 2.1101: PERMITTED USES WITH A SITE PLAN REVIEW PERMIT

- (a) Bed and breakfast inn.

### SECTION 2.1102: CONDITIONAL USES

- (a) Hotels, motels and inns.
- (b) Commercial uses which are incidental and contained within a hotel or motel.
- (c) Recreational vehicle park.
- (d) Resorts.
- (e) Camp and campgrounds.
- (f) Caretaker accommodations in conjunction with an allowed use.
- (g) Uses generally allowed in Chapter 4.6.

### SECTION 2.1103: MINIMUM LOT SIZE

The minimum lot size shall be twelve thousand five hundred (12,500) square feet.

### SECTION 2.1104: COVERAGE, HEIGHT LIMITATIONS AND SETBACK DISTANCES

Setback distances and other development requirements shall be the same as those specified in Chapter 3.3 (see Design District) because of the proximity of this zone to Cache Creek and Clear Lake the setback distances and other development requirements.

### SECTION 2.1105: GENERAL STANDARDS

All development shall be consistent with the requirements of Article V: Development Standards related to accessory structures, density bonus, parking, signs, performance standards, street improvements, landscaping, fences, walls and hedges, satellite dishes, residential housing standards, general development standards, and environmental protection.

## CHAPTER 2.12: "PA", PROFESSIONAL AND ADMINISTRATIVE OFFICE

### SECTION 2.1200: PURPOSE

The purpose of this district is to provide areas in the community which are appropriate for office development and identify residential sites which, due to their location, are appropriate for transition to office use.

### SECTION 2.1201: USES REQUIRING A SITE PLAN REVIEW PERMIT

- (a) Home occupations consistent with the requirements of Chapter 4.2.
- (b) Medical, professional and administrative offices.
- (c) Pharmacy and drug stores.
- (d) Financial services.
- (e) Office equipment sales.
- (f) Duplicating and printing services.
- (g) Beauty and barber shops.
- (h) Parking lot.
- (i) Residential dwelling accessory to other allowed uses.

### SECTION 2.1204: USES REQUIRING A CONDITIONAL USE PERMIT

- (a) Single family dwelling.
- (b) Eating establishments.
- (c) Uses generally allowed in Chapter 4.6.

### SECTION 2.1205: MINIMUM LOT SIZE

The minimum lot size shall be five thousand (5000) square feet.

### SECTION 2.1206: HEIGHT LIMITATIONS

The maximum height of a structure shall be thirty five (35) feet. Structures in excess of thirty five (35) feet may be allowed with a conditional use permit.

### SECTION 2.1207: SETBACK DISTANCES

- (a) Front Yard: Fifteen (15) feet, except when the use abuts a residential district where the setback distance shall be the



same as the residential district.

(b) Side Yard: Five (5) feet.

(c) Rear Yard: None,

(i) Except where the rear yard abuts a residential district where the setback distance shall be ten (10) feet.

(ii) Except as otherwise specified there shall be no rear yard setback on property which abuts Clear Lake or Cache Creek.

#### SECTION 2.1208: GENERAL STANDARDS

All development shall be consistent with the requirements of Article V: Development Standards related to accessory structures, density bonus, parking, signs, performance standards, street improvements, landscaping, fences, walls and hedges, satellite dishes, residential housing standards, general development standards, and environmental protection.

## CHAPTER 2.13: "C-1", NEIGHBORHOOD COMMERCIAL

### SECTION 2.1300: PURPOSE

The purpose of this district is to provide sites within residential areas for limited types of commercial and office uses which are used by persons of that neighborhood on a daily basis. This type of commercial and office development should be designed in a manner which minimizes the impact to the adjacent neighborhood in terms of noise, traffic and light.

### SECTION 2.1301: PERMITTED USES

- (a) Business, professional and governmental offices with a maximum floor area of 600 square feet.
- (b) Retail trade and service, with no outdoor storage or display, with a maximum floor area of 1000 square feet, unless otherwise specified.
- (c) Personal service.
- (d) Retail repair services other than automobile repair.

### SECTION 2.1302: PERMITTED USES WITH A SITE PLAN REVIEW PERMIT

- (a) Financial services.
- (b) Convenience stores without gasoline service.
- (c) Printing and duplicating services.
- (d) Eating establishments .
- (e) Retail food store.
- (f) Small collection facility consistent with the requirements of Chapter 4.5.

### SECTION 2.1303: CONDITIONAL USES

- (a) Business, professional and governmental offices exceeding a floor area of 600 square feet.
- (b) Gasoline service consistent with the requirements of Chapter 4.4.
- (c) Liquor store.
- (d) Large collection facility consistent with the requirements of Chapter 4.5.



- (e) Other retail trade and service exceeding a floor area of 1000 square feet, unless otherwise specified.
- (f) Uses generally permitted by Chapter 4.6.
- (g) Residential dwelling accessory to other allowed uses.

#### SECTION 2.1304: MINIMUM LOT SIZE

The minimum lot size shall be seven thousand five hundred (7500) square feet.

#### SECTION 2.1305: HEIGHT LIMITATIONS

The maximum height of a structure shall be thirty five (35) feet.

#### SECTION 2.1306: SETBACKS

- (a) Front Yard: Ten (10) foot setback except when the use abuts a residential district where the setback distance shall be the same as the residential district.
- (b) Side Yard: Five (5) feet except when the uses abuts a residential district where the setback distance shall be ten (10) feet.
- (c) Rear Yard: Five (5) foot,
  - (i) Except when the use abuts a residential district where the setback distance shall be ten (10) feet.
  - (ii) Except as otherwise specified there shall be no rear yard setback on property which abuts Clear Lake or Cache Creek.

#### SECTION 2.1306 7: GENERAL STANDARDS

All development shall be consistent with the requirements of Article V: Development Standards related to accessory structures, density bonus, parking, signs, performance standards, street improvements, landscaping, fences, walls and hedges, satellite dishes, residential housing standards, general development standards, and environmental protection.

## CHAPTER 2.14: "C-2", COMMUNITY COMMERCIAL

### SECTION 2.1400: PURPOSE

The purpose of this district is to provide sites for general commercial uses which are diverse, visually pleasing, convenient in terms of parking and access, attractive and used by citizens of Clearlake as well as visitors to the area.

### SECTION 2.1401: PERMITTED USES

- (a) Retail trade and service, with no outdoor storage or display, not otherwise specified.
- (b) Printing and duplicating establishments.
- (c) Parking lot, public or private.

### SECTION 2.1402: PERMITTED USES WITH A SITE PLAN REVIEW PERMIT

- (a) Business, professional and governmental offices.
- (b) Financial services.
- (c) Car wash.
- (d) Indoor recreation, amusement and cultural facilities.
- (e) Multiple family residential units up to a density not to exceed ten (10) units per acre.
- (f) Eating establishment with accessory drinking establishment or outside eating area.
- (g) Boat and water oriented rentals.
- (h) Small collection facility consistent with the requirements of Chapter 4.5.

### SECTION 2.1403: CONDITIONAL USES

- (a) Other retail trade and service.
- (b) Automotive repair service.
- (c) Drinking establishments.
- (d) Group quarters.
- (e) Tires, batteries and accessories sales and services.
- (f) Department stores (over five thousand (5000) square feet).



- (g) Gasoline service consistent with the requirements of Chapter 4.4.
- (h) Transient lodging including hotels, destination resorts, and motels.
- (i) Multiple family residential units up to a density not to exceed twenty (20) units per acre.
- (j) Theater and auditorium.
- (k) Veterinary offices with enclosed boarding structure.
- (l) Eating establishments with drive-up service.
- (m) Large collection facility consistent with the requirements of Chapter 4.5.
- (n) Uses generally allowed in Chapter 4.6.
- (o) Residential dwelling accessory to other allowed uses.

#### SECTION 2.1404: MINIMUM LOT SIZE

The minimum lot size shall be three thousand (3000) square feet. Multiple family, motel and hotel uses shall conform to the standard in Section 2.905.

#### SECTION 2.1405: HEIGHT LIMITATIONS

The maximum height of a structure shall be thirty five (35) feet. Structures up to sixty five (65) feet may be allowed with a conditional use permit.

#### SECTION 2.1406: SETBACK DISTANCES

Setback distances are as follows. Multi-family, motel and hotel uses shall conform to the setback standards in Section 2.909.

- (a) Front Yard: Ten (10) feet.
- (b) Side Yard: None, except when the parcel abuts a residential district where the setback distance shall be ten (10) feet.
- (c) Rear Yard: None,
  - (i) Except when the use abuts a residential district where the setback distance shall be ten (10) feet.
  - (ii) Except as otherwise specified there shall be no rear yard setback on property which abuts Clear Lake or

Cache Creek.

#### SECTION 2.1407: GENERAL STANDARDS

All development shall be consistent with the requirements of Article V: Development Standards related to accessory structures, density bonus, parking, signs, performance standards, street improvements, landscaping, fences, walls and hedges, satellite dishes, residential housing standards, general development standards, and environmental protection.



## CHAPTER 2.15: "C-3", VISITOR COMMERCIAL

### SECTION 2.1500: PURPOSE

The purpose of this district is to provide areas for commercial uses which serve persons visiting or vacationing in Clearlake.

### SECTION 2.1501: PERMITTED USES

The following uses are permitted providing the building does not exceed three thousand (3000) square feet.

- (a) Retail trade and service, with no outdoor storage or display, not otherwise specified.
- (b) Personal services.
- (c) Business offices.
- (d) Parking lot, public or private.
- (e) Bait and tackle shop.

### SECTION 2.1502: PERMITTED USES WITH A SITE PLAN REVIEW PERMIT

- (a) Financial services Banks.
- (b) Self service laundry.
- (c) Small collection facility consistent with the requirements of Chapter 4.5.

### SECTION 2.1503: CONDITIONAL USES

- (a) Car wash.
- (b) Drinking establishment.
- (c) Liquor store.
- (d) Gasoline service consistent with the requirements of Chapter 4.4.
- (e) Minor automotive repair.
- (f) Eating establishments with drive-up service.
- (g) Dry cleaner.
- (h) Transient lodging including hotels, destination resorts, and motels.

- (i) Retail trade and service, with no outdoor storage or display, or a combination of separate commercial structures on one lot of record exceeding three thousand (3000) square feet.
- (j) Indoor recreation, amusement and cultural facility.
- (k) Convenience store.
- (l) Automotive and marine sales and service.
- (m) Uses generally allowed in Chapter 4.6.
- (n) Residential dwelling accessory to other allowed uses.

#### SECTION 2.1504: MINIMUM LOT SIZE

The minimum parcel size shall be three thousand (3000) square feet.

#### SECTION 2.1505: HEIGHT LIMITATIONS

The maximum height for a structure shall be thirty five (35) feet. A structure in excess of thirty five (35) feet may be allowed with a conditional use permit.

#### SECTION 2.1506: SETBACK DISTANCES

- (a) Front yard: Ten (10) feet.
- (b) Side yard: None, except when the use abuts a residential district where the setback distance shall be ten (10) feet.
- (c) Rear yard: Five (5) feet,
  - (i) Except when the use abuts a residential district where the setback distance shall be ten (10) feet.
  - (ii) Except as otherwise specified there shall be no rear yard setback for properties which abut Clear Lake or Cache Creek.

#### SECTION 2.1507: GENERAL STANDARDS

All development shall be consistent with the requirements of Article V: Development Standards related to accessory structures, density bonus, parking, signs, performance standards, street improvements, landscaping, fences, walls and hedges, satellite dishes, residential housing standards, general development standards, and environmental protection.



## CHAPTER 2.16: "C-4", HEAVY SERVICE COMMERCIAL-LIGHT INDUSTRY

### SECTION 2.1600: PURPOSE

The purpose of this district is to provide a location for whole-sale and heavy commercial uses and services in Clearlake which are not suited for other commercial zones. It also provides areas for light industrial uses which manufacture, assemble, or package products within a building and do not emit fumes, odor, dust, smoke, or gas beyond the confines of the building.

### SECTION 2.1601: PERMITTED USES WITH SITE PLAN REVIEW PERMIT

- (a) Building material, hardware and farm equipment retail trade.
- (b) Automotive sales and service.
- (c) Tires, batteries and accessories sales and service.
- (d) Furniture, homefurnishings and appliances sales and service.
- (e) Business services.
- (f) Repair services.
- (g) Contract construction services.
- (h) Wholesale trade and service.
- (i) Eating and drinking establishments.
- (k) Large collection facility consistent with the requirements of Chapter 4.5.
- (l) Mini-warehouse.

### SECTION 2.1602: CONDITIONAL USES

- (a) Aircraft sale and service.
- (b) Printing and duplicating services.
- (c) Motor vehicle transportation facilities.
- (d) Apparel products manufacturing.
- (e) Food and kindred products manufacturing.
- (f) Outdoor recreation, amusement and cultural facilities.
- (g) Fabricated metal products manufacturing.

- (h) Stone, clay and glass products manufacturing.
- (i) Mobile home sales and service.
- (k) Recreational vehicle and travel trailer sales and service.
- (l) Furniture and fixtures manufacturing.
- (m) Petroleum refining and related industries.
- (n) Warehousing and storage services.
- (o) Light processing facility.
- (p) Uses generally allowed by Chapter 4.6.
- (q) Residential dwelling accessory to other allowed uses.

#### SECTION 2.1603: MINIMUM LOT SIZE

The minimum lot size shall be three thousand (3000) square feet.

#### SECTION 2.1604: HEIGHT LIMITATIONS

The maximum height of a structure shall be thirty five (35) feet. Structures over thirty five (35) feet in height shall require a conditional use permit.

#### SECTION 2.1605: SETBACK DISTANCES

- (a) Front Yard: Ten (10) feet except on blocks which have been substantially developed with heavy commercial/light industrial uses having a setback of less than ten (10) feet, in which case, the setback distance shall be the average of the setback within four hundred (400) feet on that block.
- (b) Side Yard: None , except when the use abuts a residential district where the setback distance shall be ten (10) feet.
- (c) Rear Yard: None , except when abuts a residential district where the setback distance shall be fifteen (15) feet.

#### SECTION 2.1606: GENERAL STANDARDS

All development shall be consistent with the requirements of Article V: Standards; Accessory Structures; Density Bonus; Parking; Signs; Performance Standards; Street Improvements; Landscaping; Fences, Walls and Hedges; Satellite Dishes; Residential Housing Standards; and, General Development Standards.



## CHAPTER 2.17: "I", INDUSTRIAL

### SECTION 2.1700: PURPOSE

The purpose of this district is to: Provide areas in the community for industrial types of activities; protect industrial areas from the intrusion of incompatible types of land uses; establish performance standards to protect Clearlake residents and the environment; and, provide industrial employment opportunities for residents of the City of Clearlake.

### SECTION 2.1701: PERMITTED USES WITH A SITE PLAN REVIEW PERMIT

All permitted uses listed in Section 2.1601.

### SECTION 2.1702: CONDITIONAL USES

All conditional uses listed in Section 2.1602 and the following:

- (a) Printing and duplicating services.
- (b) Lumber and wood products manufacturing.
- (c) Primary metal industries.
- (d) Apparel products manufacturing.
- (e) Food and kindred products manufacturing.
- (f) Outdoor recreation, amusement and cultural facilities.
- (g) Fabricated metal products manufacturing.
- (h) Stone, clay and glass products manufacturing.
- (i) Professional, scientific, optical and controlling instruments manufacturing.
- (k) Rubber and plastic products manufacturing.
- (l) Furniture and fixtures manufacturing.
- (m) Petroleum refining and related industries.
- (n) Resource extraction and energy development.
- (o) Heavy processing facility.
- (p) Uses generally allowed by Chapter 4.6.
- (q) Residential dwelling accessory to other allowed uses.

SECTION 2.1703: MINIMUM LOT SIZE

The minimum lot size shall be five thousand (5000) square feet.

SECTION 2.1704: HEIGHT LIMITATIONS

The maximum height of a structure shall be thirty five (35) feet. Structures exceeding thirty five (35) feet may be allowed with a conditional use permit.

SECTION 2.1705: SETBACK DISTANCES

- (a) Front Yard: Ten (10) feet.
- (b) Side Yard: None, except when the use abuts a residential district where the setback distance shall be ten (10) feet.
- (c) Rear Yard: None, except when the use abuts a residential district where the setback distance shall be fifteen (15) feet.

SECTION 2.1706: GENERAL STANDARDS

All development shall be consistent with the requirements of Article V: Development Standards related to accessory structures, density bonus, parking, signs, performance standards, street improvements, landscaping, fences, walls and hedges, satellite dishes, residential housing standards, general development standards, and environmental protection.









### ARTICLE III: COMBINING DISTRICTS

This portion of the ordinance contains the chapters which establish the combining districts. Combining districts may be "overlaid" on the base zoning district, thereby establishing a new zone which may require additional development standards.

## CHAPTER 3.1: COMBINING DISTRICTS

### SECTION 3.100: PURPOSE

The purpose of the combining districts is to promote development in Clearlake which is consistent with the policies and goals of the General Plan of the City of Clearlake.

### SECTION 3.101: ESTABLISHMENT OF COMBINING DISTRICTS

- (a) "AP" Airport
- (b) "DD" Design District
- (c) "SC" Scenic Corridor
- (d) "HW" Hazardous Waste
- (e) "PD" Planned Development
- (f) "T" Transition
- (g) "HS" Housing Standards

### SECTION 3.102: DISTRICT REGULATIONS

Each district shall have its own set of permitted and conditional uses along with specific standards for development. Combining districts may be attached to base zone districts to create a new zone. The requirements and standards of the base zone district shall apply to all development occurring in that zone unless there are different provisions in the combining district, in which case, the requirements of the combining district shall be applied. When a combining district is attached to a base zone district additional governmental review may be required.



## CHAPTER 3.2: "AP", AIRPORT

### SECTION 3.200: PURPOSE

The purpose of this district is to minimize aviation hazards by limiting the height of buildings, structures, and trees in approach zones around airports.

### SECTION 3.201: LEGISLATIVE AUTHORITY

This chapter is adopted pursuant to the Airport Approaches Zoning Law (Section 50485 of the Government Code) and State Planning and Zoning Law (Section 65000 of the State Government Code).

### SECTION 3.202: PERMITTED USES

All permitted uses allowed in the base zone.

### SECTION 3.203: PERMITTED USES WITH A SITE PLAN REVIEW PERMIT

All permitted uses with a site plan review permit listed in the base zone.

### SECTION 3.204: CONDITIONAL USES

All conditional uses allowed in the base zone.

### SECTION 3.205: HEIGHT LIMITATIONS AND AIRPORT ZONES

Six (6) airport zones and their height limits are hereby established for the purposes of this district. Except as otherwise provided, no structure or tree shall be erected, altered, allowed to grow in any airport zone to a height in excess of the height limit established for each zone. The datum plane for measurement of such height shall be based on the airport elevation. Said zones are as follows:

- (a) Landing Zone (L): A surface, and the airspace above it, rectangular in shape, longitudinally centered on the runway and extending in length two hundred (200) feet beyond the ends of the runway. The landing elevation shall have an elevation, at any point along its longitudinal profile, coincident with the runway centerline prolongations as appropriate. No building or structures are permitted within this zone.
- (b) Approach Zone (AA): A plane surface, and the airspace above it, trapezoidal in shape, longitudinally centered on the prolongation of the runway centerline for a distance of one thousand (1000) feet beginning at each end of each landing zone, coinciding in width with the landing zone where they join. No building or structure are permitted within this



zone except for utility and communication facilities which conform to FAA requirements.

- (c) Landing Transition Zone (LT): A plane surface, and the airspace above it, rectangular in shape, lying adjacent and parallel to each side of each landing zone, having a length equal to the landing zone and extending outward and upward, at right angles to the runway centerline, at a slope of seven to one to a height of one hundred fifty (150) feet above the established airport elevation.
- (d) Approach Transition Zone (AT): A plane surface, and the airspace above it, triangular in shape, lying adjacent to each side of each approach zone and at each end of each landing transition zone, coinciding in height with the approach zone and landing transition zone where they join and extending outward and upward, at right angles to the prolongation of the runway centerline, at a slope of seven to one to a maximum height of one hundred fifty (150) feet above the established airport elevation or to the conical zone surface, whichever is higher.
- (e) Horizontal Zone (H): A horizontal circular plane surface, and the airspace above it, one hundred fifty (150) feet above the established airport elevation, its radius point being the airport reference point and having a radius of five thousand (5000) feet as specified on the Clearlake Airport Zoning Map.
- (f) Conical Zone (C): A conical surface of an inverted conical fustum, and the airspace above it, its minor base being coincidental with the periphery of the horizontal zone and extending outward and upward, radially to its axis, at a slope of twenty to one for the horizontal distance of three thousand (3000) feet as specified on the Clearlake Airport Zoning Map.

#### SECTION 3.206: AIRPORT ZONING MAP

The several zones established by Section 3.205 shall be delineated on the Airport Zoning Map of the City of Clearlake and hereby adopted. The Airport Map shall contain a plot plan of the airport showing the location, direction and dimensions of all runways, the location and dimensions of all zones described in Section 3.205 and the specific values applied to said zones in accordance with the formulas established for the regulation of heights pursuant to Section 3.205.

#### SECTION 3.207: OTHER PROVISIONS

The Building Department shall not issue building permits for the construction, reconstruction or structural alteration of any



structure within any airport zone if said proposed construction, reconstruction or structural alteration of any structure exceeds the height limitations of that zone as identified on the Clear-lake Airport Map.

## CHAPTER 3.3: "DD", DESIGN DISTRICT

### SECTION 3.300: PURPOSE

The purpose of this district is to provide a continuity in building design, infrastructural improvements, and district development standards for areas in Clearlake which exhibit common characteristics and location. Examples of sections of a community which have these types of common features are historical districts, a shoreline, or a central business district.

### SECTION 3.301: DESIGN DISTRICT APPLICATION

This combining district may be subdivided into subdistricts. Each subdistrict shall have its own goals, policies, and development standards which dictate the overall design of that portion of the community. Subdistricts shall be noted on the Official Zoning Map using the following notations: Base Zone - Design District - Subdistrict. An example of such a notation would be C-3 (Visitor Services) - DD (Design District) - A (Lakeshore Drive).

### SECTION 3.302: PERMITTED USES WITH A SITE PLAN REVIEW PERMIT

- (a) Permitted uses listed in the base zone.
- (b) Permitted uses with a site plan review permit listed in the base zone.

### SECTION 3.303: CONDITIONAL USES

Conditional uses listed in the base zone.

### SECTION 3.304: SUBDISTRICT A - LAKESHORE DRIVE

- (a) PURPOSE: The purposes of the Lakeshore Design District are to: Improve the appearance, circulation, and parking along Lakeshore Drive so that businesses can operate more efficiently and effectively; provide public access to Clear Lake; open up vistas to Clear Lake; improve pedestrian traffic flow and safety; and, improve the maintenance of buildings and grounds.
- (b) COVERAGE: The maximum building coverage shall not exceed sixty (60) percent.
- (c) HEIGHT LIMITATIONS: For parcels abutting Clear Lake the maximum height of a structure shall be twenty five (25) feet. Structures exceeding twenty five (25) feet may be allowed with a conditional use permit.
- (d) SETBACK DISTANCES: For parcels abutting Clear Lake the



following apply:

- (i) Front Yard: Fifteen (15) feet.
- (ii) Rear Yard: None.
- (iii) Side Yard: Five (5) feet except when structures exceed twenty five (25) feet in height the side yard shall increase five (5) feet for every story above twenty five (25) feet.

(e) GENERAL STANDARDS

All development shall be consistent with the requirements of Article V: Development Standards related to accessory structures, density bonus, parking, signs, performance standards, street improvements, landscaping, fences, walls and hedges, satellite dishes, residential housing standards, general development standards, and environmental protection with the following special provisions:

- (i) For non-residential uses a six (6) foot fence or wall shall be allowed between this district and a residential district so long as the upper three (3) feet are not solid material and provides visual penetration. A six (6) foot landscaped hedge may be allowed subject to the approval of the Planning Director. A six (6) foot solid fence or wall may be allowed subject to the approval of the Site Plan Review Committee.
- (ii) All uses which require a development permit or a building permit which represents renovation or expansion of a value exceeding ten thousand dollars (\$10,000), exclusive of destruction by fire, explosion, vandalism, or other casualty or act of God, shall be required to construct curbs, gutters and curvilinear sidewalks along the front of the parcel or, in the case of large parcels with multiple businesses, the building frontage on Lakeshore Drive. Such improvements shall be approved by the City Engineer and may be deferred through the provision of an improvement guarantee agreement acceptable to the City.

## CHAPTER 3.4: "SC", SCENIC CORRIDOR

### SECTION 3.400: PURPOSE

The purpose of this district is to preserve the scenic quality of the land immediately visible from State Highway 53. The zone is intended to be combined with other zones adjacent to scenic highways and roads.

### SECTION 3.401: APPLICATION

This district shall be combined with base zones that are within three hundred (300) feet of the edge of right-of-way of State Highway 53. Subject to a site plan review the application of this combining district may be more or less than three hundred (300) foot limit depending upon the visibility of the property from the State Highway 53.

### SECTION 3.402: PERMITTED USES

All permitted uses allowed in the base zone.

### SECTION 3.403: PERMITTED USES WITH A SITE PLAN REVIEW PERMIT

All permitted uses with a site plan review permit listed in the base zone.

### SECTION 3.404: CONDITIONAL USES

All conditional uses allowed in the base zone.

### SECTION 3.405: SIGNS

On-premise outdoor advertising signs shall be consistent with the requirements of Chapter 5.4 and the following restrictions:

- (a) Any free standing sign advertising a use on the property shall require a site plan review permit.
- (b) No person, firm or corporation shall erect, build or paint any off-site outdoor advertising display sign on any property located in this district. Billboards shall be prohibited.
- (c) Business and church directory signs and City of Clearlake identification signs, billboards, or monuments, shall be allowed in any district which is located at a public road entering Clearlake.

### SECTION 3.406: DEVELOPMENT STANDARDS

- (a) The siting of transmission lines (50 K.V. and over) shall



avoid interfering with scenic views to the greatest extent possible, taking into account the design and size of the transmission towers, the nature of the landscape, and the placement of the transmission towers in the landscape. New high voltage transmission facilities (50 K.V. lines and above) shall not be sited along a foreground view (up to 1/4 to 1/2 mile) of existing and potential state, county or city scenic highways as designated in the City General Plan, designated residential areas or major resorts unless no feasible alternatives exist. In situations where no feasible alternatives exist, undergrounding or other visual mitigation measures shall be imposed.

- (b) Grading and cut/fill shall be kept to a minimum and shall be prohibited whenever such activities will have an adverse impact of the scenic resources of the State highway.
- (c) Any exposed slopes resulting from grading shall be stabilized by plantings of compatible vegetation.

## CHAPTER 3.5: "HW", HAZARDOUS WASTE

### SECTION 3.500: PURPOSE

The purpose of this district is to implement specific sections of the Health and Safety Code (Division 20, Chapter 65, Hazardous Waste Control) which refer to land use restrictions if land is designated as a Hazardous Waste Property or Border Zone Property by the State Department of Health Services.

### SECTION 3.501: APPLICATION

Within this district all applicants for zoning clearance or other permits authorized by this ordinance shall apply to the State Department of Health Services for a determination as to whether their land should be designated as a Hazardous Waste Property or Border Zone Property if they plan to construct, modify or enlarge a structure to be used for any of the following purposes:

- (a) Single family dwelling, mobile home, or factory built home.
- (b) Hospital.
- (c) School for persons under twenty one (21) years of age.
- (d) Any permanently occupied human habitation other than those used for industrial purposes.

### SECTION 3.502 REQUEST FOR DETERMINATION

Any person requesting a determination as required in this chapter shall include the following information:

- (a) Landowner's name and address.
- (b) Assessor's parcel number(s) of property.
- (c) Applicant's name, address and phone number.
- (d) The type of land use, activity and the type of building and construction proposed.
- (e) Type of construction proposed.
- (f) Estimated date of construction.
- (g) Name and location of the listed potential hazardous waste property or any other significant disposal of hazardous waste on or within two thousand (2000) feet of the property.



#### SECTION 3.503: ACTION BY THE PLANNING OFFICERS OR BODIES

No planning officer or body may accept as complete any application for zoning clearance or any permit for any of the uses listed in Section 3.501 on any property located within district until the State Department of Health Services determines if the property should be designated a Hazardous Waste Property or Border Zone Property.

#### SECTION 3.504: CONDITIONS OF APPROVAL

If the State Department of Health Services designates any property as a Hazardous Waste Property or Border Zone Property and applies any restrictions regarding the use or method of construction, these restrictions shall become conditions of the zoning clearance or permit, if approved.

#### SECTION 3.505: HAZARDOUS WASTE SITES

No new hazardous waste sites shall be allowed in the City of Clearlake.

## CHAPTER 3.6: "PD", PLANNED DEVELOPMENT

### SECTION 3.600: PURPOSE

The purpose of this district is to provide for development consisting of a related group of residential housing types including but not limited to attached or detached single family housing, cluster housing, patio homes, townhouses, apartments, mobile home parks and subdivisions, condominiums or combination thereof and including related open space, community facilities, and neighborhood commercial uses. This combining district is designed to produce a comprehensive development equal to or better than that resulting from traditional lot-by-lot land use development.

### SECTION 3.601: APPLICATION

This district may be combined with the SP, RP, RR, BV, R-1, R-3, VA, MUR or C-2 base zones.

### SECTION 3.602: CONDITIONAL USES

Any residential use applying for the density bonus allowed in the base district.

### SECTION 3.603: MINIMUM SITE AREA

The minimum site area for a planned development shall be two (2) acres.

### SECTION 3.604: DENSITY

The average number of dwelling units per net area shall not exceed the density allowed by the base zone, unless the applicant can demonstrate that additional usable common open space beyond the five (5) percent requirement can be achieved. If so, the Planning Commission or City Council may grant a density bonus. This density bonus shall be based on the following standards:

#### (a) Net Usable Open Space:

- (i) Six (6) to ten (10) percent: Six (6) percent density bonus
- (ii) Eleven (11) to twenty (20) percent: Ten (10) percent density bonus
- (iii) Twenty one (21) to twenty five (25) percent: Sixteen (16) percent density bonus
- (iv) Over twenty five (25) percent: Twenty (20) percent density bonus.



- (b) Usable common open space is those portions of the project site which are suitable for common use by the residents of the development. This open space shall not include parking areas, private patios, building separations, and storage areas.

#### SECTION 3.605: MINIMUM LOT SIZE

None.

#### SECTION 3.61006: GENERAL STANDARDS

All development shall be consistent with the requirements of Article V: Development Standards related to accessory structures, density bonus, parking, signs, performance standards, street improvements, landscaping, fences, walls and hedges, satellite dishes, residential housing standards, general development standards, and environmental protection, or as modified by the procedures identified in Chapter 1.8 with the following special provisions:

All parking shall be screened from adjacent public rights-of-way. Such screening may include dense plantings, fences or hedges, or grade separation.

#### SECTION 3.607: PLANNING COMMISSION FINDINGS

The Planning Commission may grant Planned Development zoning and a conditional use permit for a development if it makes the following findings:

- (a) The proposed project is consistent with the Clearlake General Plan.
- (b) The standards of population density, site area and dimensions, site coverage, yard spaces, height of structures, off-street parking and landscaped areas are consistent with the objectives of the Zoning Ordinance.
- (c) A homeowners association has been formed to maintain the common area of the development.
- (d) The development will not generate more traffic than the streets in the vicinity can carry without congestion and the local infrastructural systems and utilities are not overloaded.
- (e) The natural environment of a site is to be considered in the design of the planned development. Such features as water courses, riparian areas, native vegetation, wildlife habitat and steeply sloping land should be preserved as open space.

- (f) Development in this district is demonstratively superior to the development that could occur under the base zone district regulations.



## CHAPTER 3.7: "T", TRANSITION ZONE

### SECTION 3.700: PURPOSE

This combining district is intended for those properties designated to be in transition from one land use activity to another, to contain special or unique community resources or to have special problems because of poor platting or mixture of incompatible uses and cannot be practically included within other residential or commercial land use designations, special development standards are created to address the impacts of the conflicts between new and old land use activities, traffic, parking and circulation, public services and utilities, aesthetics, noise, glare, drainage, and site environmental changes.

## CHAPTER 3.8: "HS" HOUSING STANDARDS

### SECTION 3.800: PURPOSE

To insure that the external appearance of residential uses will be compatible and harmonious with the use and enjoyment of surrounding residential properties; and that new residential development will not have a material or substantial deleterious effect upon the historic, economic, social and cultural well being and development of residential communities, nor will it be incompatible with existing scenic qualities or architectural design.

### SECTION 3.801: APPLICATION

This district may be combined with the BV, RR, R-1, R-3, RP and MUR base zones.

### SECTION 3.802: PERMITTED USES

All uses permitted in the base zone.

### SECTION 3.803: PERMITTED USES WITH A SITE PLAN REVIEW PERMIT

Permitted uses with a site plan review permit listed in the base zone.

### SECTION 3.804: CONDITIONAL USES

All conditional uses allowed in the base zone.

### SECTION 3.805: DEVELOPMENT AND DESIGN STANDARDS

The following standards shall govern all single family residential units in this district:

- (a) All residences shall be at least sixteen (16) feet in width or diameter (excluding eaves), except "granny units" or second unit residences.
- (b) Mobile homes shall be certified under the National Manufactured Home Construction and Safety Standards Act of 1974 which became effective in California on June 15, 1976.
- (c) The unit shall be placed on a permanent foundation consistent with the regulations in Section 18551 of the State Health and Safety Code.
- (d) Residential units shall have siding which extends to the ground level (wood excluded) except that when a solid concrete or masonry perimeter foundation is used, then siding need only extend one and one-half (1 1/2) inches below the top of the foundation.



- (e) The minimum floor area for a principal residence shall be one thousand (1,000) square feet. In determining the minimum square footage, garages, porches, patios, and screened rooms are not included. Cabanas and tip-outs are not included unless they are built or installed simultaneous with dwelling construction or installation, and, are of a similar and compatible architectural design and construction material.
- (f) All residences shall have a perimeter roof overhang perpendicular to the axis of the roof line of not less than one (1) foot measured from the vertical side of the home.
- (g) The slope of the main roof shall not be less than three (3) inches vertical rise for each twelve (12) inches of horizontal run.
- (h) Covered parking:
  - (i) A minimum of two (2) covered parking spaces shall be provided for a principal residence.
  - (ii) A minimum of one (1) covered parking space shall be provided for residences other than the principal residence.
- (i) The Site Plan Review Committee may waive the requirements of subsections d, f, and g when additions to existing dwellings without pitched roofs or roof overhangs are proposed, or when a proposed new dwelling has an architectural design or style including but not limited to the french mansard, or California mission styles.
- (j) Existing residential structures not meeting the standards of this Chapter may be replaced, remodeled, rebuilt or enlarged until January 1, 2010, if such replacement, remodeling, rebuilding or enlargement is in conformance with Chapter 5.12 and is not less in conformance with this Chapter than the original existing residential structure. After January 1, 2010, all replacement, remodeling, rebuilding or enlargement of existing residential structures shall be in conformance with this Chapter.











#### ARTICLE IV: SPECIAL USE STANDARDS

This portion of the ordinance contains the detailed specifications and standard regarding the development of special uses such as Mobile Home Parks, Home Occupations, Second Residential Units, Gasoline Service, and Uses Generally Allowed."

## CHAPTER 4.1: MOBILE HOME PARKS

### SECTION 4.100: PURPOSE

The purpose of this chapter is to promote housing opportunities for residents of the City of Clearlake by establishing policies and development standards for mobile home parks. The development standards for the mobile home parks will further encourage the creation of stable and attractive parks which will benefit the residents of the park and the community as a whole.

### SECTION 4.101: SUPPLEMENTAL REGULATIONS

The provisions of this section shall be considered supplemental to applicable State regulations including Title 25, Chapter 2 and to other pertinent city ordinances. Where this section, and such regulations and other ordinances do not control, the provisions of the Federal Department of Housing and Urban Development's Mobile Home Development Guide, or successor documents, shall be used by the city as "minimum standards" to guide decisions regarding mobile home parks.

### SECTION 4.102: CONDITIONAL USES

- (a) Mobile homes for single family use.
- (b) Common recreational facilities and structures.
- (c) Administration offices for mobile home park use only.
- (d) Accessory uses normally incidental to mobile home parks.
- (e) On-site sales of new mobilehomes by a licensed owner or his agent.

### SECTION 4.103: PROHIBITED USES

Commercial activities, except the sale of a mobile home by the owner or by a real estate company, shall not be permitted.

### SECTION 4.104: MINIMUM PARK SIZE

The minimum lot size for a mobile home park shall be two and one half (2 1/2) acres.

### SECTION 4.105: DENSITY

The density of the mobile home park shall not exceed the density of the zone district in which it is located.



#### SECTION 4.106: MINIMUM LOT SIZE

- (a) Single wide: Two thousand four hundred (2400) square feet.
- (b) Double wide: Three thousand four hundred (3400) square feet.
- (c) Triple wide: Four thousand four hundred (4400) square feet.

#### SECTION 4.107: HEIGHT LIMITATION

The maximum height of structures shall be thirty (30) feet.

#### SECTION 4.108: MINIMUM SETBACK DISTANCES

- (a) Mobile Home Park: Structures along the perimeter of the mobile home park shall meet the same setback distances as required by the base zone.
- (b) Individual Mobile Home Lot:
  - (i) Front Yard: Ten (10) feet.
  - (ii) Side Yard: Five (5) feet.
  - (iii) Rear Yard: Five (5) feet.

#### SECTION 4.109: DEVELOPMENT STANDARDS

All development shall be consistent with the requirements of Article V: Development Standards related to accessory structures, density bonus, parking, signs, performance standards, street improvements, landscaping, fences, walls and hedges, satellite dishes, residential housing standards, general development standards, and environmental protection or as modified by the procedures identified in Chapter 1.8 with the following special provisions:

- (a) Streets: Street development associated with mobile home parks shall be consistent with improvement standards for the City of Clearlake and the following requirements:
  - (i) Entrance streets, collector streets, and all other streets within the mobile home park shall not have a pavement width less than twenty five (25) feet wide.
  - (ii) Cul-de-sacs shall be a maximum of six hundred (600) feet in length with a fully paved and have a turnaround which has a diameter of ninety (90) feet.
  - (iii) Street name signs shall be provided and maintained at each street intersection and at each entrance to a public

street.

(b) Storm Drainage:

(i) Each mobile home park application shall be accompanied with a complete preliminary drainage plan prepared to the satisfaction of the City Engineer.

(ii) Maintenance of mobile home park drainage facilities shall be the responsibility of the mobile home park association.

(c) Undergrounding: All public utilities shall be installed underground, including electrical supply, telephone, street lighting, and cable TV. Park TV antennas or cable TV shall be provided. Use of individual TV antennas is not permitted.

(d) Recreation Area: A minimum of four hundred (400) square feet of common recreation area shall be provided for each mobile home lot.

(e) Skirting: All mobile homes shall be fitted with skirting which extends from the floor level of the mobile home to the ground.

(f) Laundry Facilities: Each mobile home park shall provide a laundry building which provides for the washing and drying of clothes.

(g) No more than one mobile home shall be allowed on each mobile home lot.

(h) All mobile home parks shall be enclosed by a fence, wall or hedge six (6) feet in height except in the front yard where the maximum height shall be four (4) feet within the required setback area. Fences, walls or hedges within the required front yard over four (4) feet but not more than six (6) feet in height may be allowed upon approval of the Planning Commission and the City Engineer.

(i) Supplemental parking for boats, travel trailers and other vehicles shall be provided at a ratio of one space for each ten (10) mobile home lots. Such space shall be at least ten (10) feet by twenty (20) feet.

(j) Parking may be permitted on both sides of entrance and collector streets and on only one side of other streets.



## CHAPTER 4.2: HOME OCCUPATIONS

### SECTION 4.200: PURPOSE

It is the intent of this chapter to of promote the use of home occupations to the degree that their effects on neighborhoods are undetectable from normal and usual residential activity. The provisions of this chapter shall apply to all home occupations as defined in Chapter 6.1 of this ordinance.

### SECTION 4.201: CRITERIA

All home occupations except family contractors' businesses shall meet the following criteria:

- (a) Off-site employees or partners are permitted so long as they do not work at the subject property.
- (b) The use of the dwelling for the home occupation shall be clearly incidental and subordinate to its use for residential purposes. The home occupation may be conducted in the principal dwelling or accessory structures on the subject property provided that the area does not exceed twenty-five (25) percent of the habitable floor area of the principal dwelling.
- (c) There shall be no mechanical equipment or operation used which creates or makes objectional noise, dust, odor, vibration or other effects detectable at the property line. Noise levels at the property line shall not exceed the levels established in Chapter 5.5.
- (d) There shall be no products sold on the premises except or products individually made to order on the premises. Products which are not "individually made to order" may be constructed on-site, however, these products shall only be sold at a permitted commercial location.
- (e) There shall be no display of products produced by occupants of the dwelling which are visible in any manner from the outside of the dwelling unit.
- (f) The use shall not generate pedestrian or vehicular traffic beyond that which is normal in a residential district nor, in any case, requires on site parking of more than two (2) additional vehicles at any one time.
- (g) There shall be no storage of material or supplies out-of-doors that can be seen by the public.
- (h) There shall be no remodeling or construction of facilities which changes the external appearance of the residence from



a residential to a more commercial appearing structure when viewed from the front of the building.

- (i) There shall be no visible evidence of the conduct of such home occupation outside the structure unless permitted in Chapter 5.4.
- (j) The following specific home occupations shall be permitted subject to further limitations as follows:
  - (i) Beauty/barber shops limited to one (1) operator only.
  - (ii) Contractors and subcontractors offices are permitted as home occupations. However, the storage of vehicles, materials and equipment not normally associated with residential uses shall be allowed by the standards and requirements of Section 4.203.
  - (iii) Furniture and cabinet construction, repair, restoration and reupholstery shall be limited to one (1) occupant of the dwelling. There shall be no pick-up or delivery at the location by the public.
  - (iv) Repair of small electronic or garden (including lawn mowers) equipment, excluding gasoline engines, or small household appliances shall be limited to one (1) occupant of the dwelling. All testing of equipment shall be performed within an enclosed building.
  - (v) Mail order businesses, as long as the product ordered is mailed directly to the purchaser and is only stored within the dwelling. Items may not be sold directly from the residence.
  - (vi) Manufacture of toys, decorator items, clothing, needlework, handicrafts, or similar products using equipment normally found in a residence.
  - (vii) Medical, dental, chiropractic offices, professional offices and other service oriented offices.
- (k) Customer visits shall be limited to eight (8) per day.
- (l) Commercial deliveries shall be limited to ten (10) per week.

#### SECTION 4.202: PROHIBITED USES

The following uses are expressly prohibited as home occupations:

- (a) Storage, repair or reconditioning of motorized vehicles or large equipment on site.



- (b) Storage, repair or reconditioning of major household appliances, including refrigerators, freezers, clothes washers and dryers, dishwashers, stoves, heating and air conditioning equipment.
- (c) Repair or reconditioning of boats or recreation vehicles.
- (d) Tow truck and ambulance services.

#### SECTION 4.203: FAMILY CONTRACTOR'S BUSINESS WITH A STORAGE YARD AS A HOME OCCUPATION

The requirements of this section shall apply to family contractor's business as defined by Chapter 6.1 of this ordinance. The purpose of this section is to provide for the storage of contractor's heavy equipment and/or supplies at the residence of one of the occupants engaged in this business.

#### SECTION 4.204: STANDARDS FOR FAMILY CONTRACTOR'S BUSINESS

The following development standards shall be applied to all family contractor businesses:

- (a) All one (1) ton vehicles, supplies, and equipment shall be stored in the rear portion of the lot outside of the required setbacks and behind the principal dwelling. The storage and driveway areas shall be of an all-weather surface and maintained in a dust free condition.
- (b) A minimum twenty (20) foot width shall be maintained between any structures and the property lines to provide access to the rear of the parcel (if heavy equipment is used).
- (c) Repair of heavy equipment not owned or rented by the family contractor's business is specifically prohibited on site.
- (d) Areas used for storage of heavy equipment and supplies shall be screened from view of adjacent neighbors and from a public street, Clear Lake and Cache Creek by installation of a six (6) foot solid wood or masonry fence around the perimeter of the storage area and fast-growing dense landscaping which screens all equipment from adjacent property.
- (e) No mixing of concrete for resale or off-site construction, no construction, manufacturing, or similar activities shall be allowed on the site.
- (f) No employees shall work at the site of the family contractor's business. Parking shall not be within the required setback distances of any yard.



## CHAPTER 4.3: SECOND RESIDENTIAL UNITS

### SECTION 4.300: PURPOSE

The purpose of this chapter is to provide for the establishment of new secondary residential units on existing lots as a means of providing additional housing opportunities to the citizens of Clearlake.

### SECTION 4.301: ESTABLISHMENT OF A SECONDARY RESIDENTIAL UNIT

Subject to the granting of a site plan review permit, a secondary residential unit may be established by any one of the following methods:

- (a) Alteration of interior space of an existing dwelling.
- (b) Conversion of an attic, basement, garage, or other previously uninhabited portion of a dwelling or accessory structure.
- (c) Addition of a separate unit onto an existing dwelling.
- (d) Construction or installation of a separate structure on a lot in addition to an existing principal dwelling.

### SECTION 4.302: GENERAL PROVISIONS

The following standards shall govern all second residential units:

- (a) Any lot considered for a second residential unit shall have a minimum lot size twice the required footage of the designated zone district, but in no case less than ten thousand (10,000) square feet.
- (b) Only one second residential unit shall be allowed per lot.
- (c) At least one off-street parking space shall be required in addition to the parking standards required for the main residential unit.
- (d) A second residential unit shall contain cooking, sanitation, sleeping and living facilities separate from those of the main dwelling unit on the parcel on which it is located.
- (e) Front, rear, side and other setback requirements shall apply. In addition there shall be a minimum of ten (10) feet between a detached second residential unit and the principal residence.
- (f) The property upon which a second residential unit is located shall remain as an unsubdivided parcel. The second residen-



tial unit may be subdivided from the main parcel if all standards of the base zoning district can be met.

- (g) For attached units the appearance of the building shall remain that of a single family dwelling. Any new entrance shall be located on the side or rear of the building.

## CHAPTER 4.4: GASOLINE SERVICE

### SECTION 4.400: SERVICE STATIONS

The following standards shall apply to gasoline service:

- (a) No activities other than the following shall be conducted: dispensing gasoline, oil, grease, tires, batteries, automobile accessories, and other related items, directly to users of motor vehicles; tuning motors; washing and waxing autos; wheel and brake adjustment and minor repairs. Minor automotive repairs must be conducted entirely within the building. The following activities are prohibited: upholstery work, auto glass work, painting, welding, tire recapping, auto dismantling or salvage, body and fender work, and new and used car sales, rental and leasing.
- (b) No gasoline service pumps, islands or drive aisles, located within one hundred (100) feet of a residential district, shall conduct operations other than between the hours of 6:00 a.m. and 12:00 midnight, with the further provision that no repairs, other than emergency repairs, will be conducted between the hours of 10:00 p.m. and 12:00 midnight.
- (c) All gasoline pumps and islands shall be set back fifteen (15) feet from the property line; however, if gasoline pumps or islands are set in a perpendicular position to any street or property line, or in any other position other than parallel to a property line, the setback shall be twenty (20) feet. Additional setback may be established by the Planning Commission if deemed necessary to provide for the protection of property values, safety, health, or welfare.
- (d) All hoists and pits, mechanical washing equipment, and repair and lubrication areas shall be within a completely enclosed building.
- (e) No vehicles shall be parked on the premises other than those of persons attending to business on the site, vehicles being serviced for customers, vehicles of employees, and tow trucks and other service vehicles.
- (f) Where gasoline service adjoins property zoned for residential purposes, a six (6) foot high solid masonry wall shall be constructed on interior property lines except that the wall shall be three (3) feet in height when adjacent to any required front yard. A six (6) foot high solid masonry wall may be required for areas adjoining property used for residential purposes.
- (g) All restroom entrances shall be screened from view of adjacent properties or street right-of-way by a solid fence or



landscaping screen.

(h) All gasoline service shall provide compressed air and water.

## CHAPTER 4.5: COLLECTION FACILITIES

### SECTION 4.500: PURPOSE

The purpose of this chapter is to assist the City in responding to the requirements of the California Beverage Container Recycling and Litter Reduction Act (Public Resources Code Section 14500, et seq.).

### SECTION 4.501: SMALL COLLECTION FACILITY

Small collection facilities may be sited in commercial and industrial zones provided they comply with the following minimum standards:

- (a) Shall be set back at least ten (10) feet from any street line and shall not obstruct pedestrian or vehicular circulation.
- (b) Shall accept only glass, metal, plastic containers, papers and refillable beverage containers. Used motor oil may be accepted with permission of the County Health Department.
- (c) Shall use exterior storage containers that are constructed and maintained with durable waterproof and rustproof material, covered when site is not attended, secured from unauthorized entry or removal of material, and shall be of a capacity sufficient to accommodate materials collected and collection schedule.
- (d) Shall store all material in containers or in a mobile unit vehicle, and shall not leave materials outside of containers when attendant is not present.
- (e) Shall be maintained free of litter and any other undesirable materials, and mobile facilities, at which truck or containers are moved at the end of each collection day, shall be swept at the end of each collection day.
- (f) Shall not exceed noise levels of sixty (60) dBA as measured at the property line of residentially zoned or occupied property, otherwise shall not exceed seventy (70) dBA.
- (g) Attended facilities located within one hundred (100) feet of a residential district shall only operate during the hours between 9:00 a.m. and 7:00 p.m.
- (h) Containers for the 24-hour donation of material shall be at least thirty (30) feet from any residential district unless there is a recognized service corridor and acoustical shielding between the containers and the residential use.



- (i) Containers shall be clearly marked to identify the type of materials which may be deposited, the facilities shall be clearly marked to identify the name and telephone number of the facility operator and the hours of operation, and display a notice stating that no material shall be left outside of the recycling enclosure or containers.
- (j) The facility shall not impair the landscaping required by Chapter 5.7 of any concurrent use.
- (k) No additional parking spaces will be required for customers of small collection facilities located at the established parking lot of a host use. One space shall be provided for the attendant.
- (l) Mobile recycling units shall have an area clearly marked to prohibit other vehicular parking during hours when the mobile unit is scheduled to be present.
- (m) Occupation of parking spaces by the facility and by the attendant shall not reduce available parking spaces below the minimum number required for the concurrent use or the primary host use unless all the following conditions are met:
  - (i) The facility is located in a convenience zone or a potential convenience zone as designated by the California Department of Conservation.
  - (ii) A parking study shows that existing parking capacity is not already fully utilized during the time the recycling facility will be on in operation.

#### SECTION 4.502: LARGE COLLECTION FACILITY

A large collection facility is one that is larger than five hundred (500) square feet, or is on separate property not appurtenant to a host use, and which may have a permanent building. A large collection facility may be allowed provided the facility meets the following standards:

- (a) Facility shall be screened from the public right-of-way by operating in an enclosed building or:
  - (i) Within an area enclosed by a solid fence six (6) feet in height with landscaping and
  - (ii) At least one hundred-fifty (150) feet from a residential district.
- (b) Shall accept only glass, metal, plastic containers, papers and refillable beverage containers. Used motor oil may be accepted with permission of the County Health Department.



- (c) Shall use exterior storage containers that are constructed and maintained with durable waterproof and rustproof material, covered when site is not attended, secured from unauthorized entry or removal of material, and shall be of a capacity sufficient to accommodate materials collected and collection schedule. Such materials may be baled or palletized. Storage containers for flammable material shall be constructed of non-flammable material. No storage, excluding truck trailers and overseas containers, shall be visible above the height of the fencing.
- (d) Shall store all material in containers or in a mobile unit vehicle, and shall not leave materials outside of containers when attendant is not present.
- (e) Shall be maintained free of litter and any other undesirable materials, and shall be swept at the end of each day.
- (f) Attended facilities located within one hundred (150) feet of a residential district shall only operate during the hours between 7:00 a.m. and 7:00 p.m.
- (g) Containers for the 24-hour donation of material shall be at least fifty (50) feet from any residential district unless there is a recognized service corridor and acoustical shielding between the containers and the residential use.
- (h) Containers shall be clearly marked to identify the type of materials which may be deposited, the facilities shall be clearly marked to identify the name and telephone number of the facility operator and the hours of operation, and display a notice stating that no material shall be left outside of the recycling enclosure or containers.
- (i) The facility shall not impair the landscaping required by Chapter 5.7 of any concurrent use.
- (j) Occupation of parking spaces by the facility and by the attendant shall not reduce available parking spaces below the minimum number required for the concurrent use or the primary host use unless all the following condition are met:
  - (i) The facility is located in a convenience zone or a potential convenience zone as designated by the California Department of Conservation.
  - (ii) A parking study shows that existing parking capacity is not already fully utilized during the time the recycling facility will be in operation.



## CHAPTER 4.6: USES GENERALLY ALLOWED

### SECTION 4.600: PURPOSE

All uses listed in this section and all matters directly related thereto are declared to be uses possessing characteristics of unique and special form as to make their use acceptable in any district under certain specific conditions, and therefore the authority for a location of the operation of the uses designated herein shall be subject to the issuance of a conditional use permit in accordance with the provisions of Chapter 1.8. In addition to the criteria for determining whether or not a conditional use permit should be issued, the Planning Commission shall consider the following additional factors to determine that the characteristics of the listed uses will not be unreasonably incompatible with the uses in surrounding areas: (a) damage or nuisance from noise, smoke, odor, dust, or vibration; (b) hazard from explosion, contamination or fire, and; (c) hazard occasioned by unusual volume or character of traffic or the congregating of a large number of people or vehicles. The uses referred to herein are as follows:

- (a) Airport, landing field, heliport.
- (b) Geothermal development.
- (c) Hospital, convalescent hospital, sanitarium.
- (d) Cemetery, columbarium, crematory, mausoleum.
- (e) Marinas and similar facilities.
- (f) Removal or deposit of earth other than excavations or deposits in connection with construction of buildings, roadways, public improvement or home improvements.
- (g) Construction, grading or digging of all ponds, ponding areas, which, when completed, can contain one acre foot more of liquid.
- (h) Community clubs, private clubs, or fraternal organizations.
- (i) Churches, schools, colleges.
- (j) Country club with golf course.
- (k) Utility and communication building
- (l) Public and quasi-public uses of an administrative, public services or cultural type including special district, City, county, state or federal facilities.

The first part of the chapter discusses the early history of the United States, from the time of the first European settlers to the American Revolution.

The second part of the chapter discusses the period of the American Revolution, from the time of the Declaration of Independence to the end of the war. This part of the chapter discusses the political, social, and economic changes that took place during this time, as well as the role of the military and the role of the people.

The third part of the chapter discusses the period of the early republic, from the time of the end of the American Revolution to the time of the Missouri Compromise. This part of the chapter discusses the political, social, and economic changes that took place during this time, as well as the role of the military and the role of the people.

The fourth part of the chapter discusses the period of the mid-republic, from the time of the Missouri Compromise to the time of the Civil War. This part of the chapter discusses the political, social, and economic changes that took place during this time, as well as the role of the military and the role of the people.

The fifth part of the chapter discusses the period of the late republic, from the time of the Civil War to the time of the Reconstruction. This part of the chapter discusses the political, social, and economic changes that took place during this time, as well as the role of the military and the role of the people.









## ARTICLE V: DEVELOPMENT STANDARDS

The purpose of this article is to establish reasonable and necessary standards for development in Clearlake. These improvements, dedications, and requirements are to assure that Clearlake develops in a manner which promotes efficient and orderly community growth. These regulations do not apply to State permitted mobilehome or travel trailer parks except as required by Chapter 4.1.

## CHAPTER 5.1: ACCESSORY STRUCTURES

### SECTION 5.100: PURPOSE

The purpose of this chapter is to regulate the types and location of accessory structures to the principal use in the zone district.

### SECTION 5.101: APPLICATION

The accessory structures defined in Chapter 6.1 are allowed in the following zones as follows:

- (a) Agricultural accessory structures shall be allowed in the following base zones and these zones when attached to a combining zone, unless otherwise prohibited by this ordinance.

- (i) "SP" Specific Plan
- (ii) "A", Restrictive Agriculture
- (iii) "O", Park and Recreation
- (iv) "RP", Resource Protection
- (v) "RR", Rural Residential
- (vi) "BV", Burns Valley

- (b) Residential accessory structures shall be allowed in the following base zones and these zones when attached to a combining zone, unless otherwise prohibited by this ordinance.

- (i) "SP" Specific Plan
- (ii) "A", Restrictive Agriculture
- (iii) "RP", Resource Protection
- (iv) "BV", Burns Valley
- (v) "RR", Rural Residential
- (vi) "R-1", Low Density Residential
- (vii) "R-3", High Density Residential
- (viii) "VA", Visitor Accommodation
- (ix) "MUR", Mixed Use Residential



- (x) "C-1", Neighborhood Commercial
- (xi) "C-2", Community Commercial
- (xii) "C-3", Visitor Commercial
- (xiii) "C-4", Heavy Service Commercial/ Light Industrial

(c) Commercial accessory structures shall be allowed in the following base zones and these zones when attached to a combining zone, unless otherwise prohibited by this ordinance.

- (i) "SP" Specific Plan
- (ii) "VA", Visitor Accommodation
- (iii) "C-1", Neighborhood Commercial
- (iv) "C-2", Community Commercial
- (v) "C-3", Visitor Commercial
- (vi) "C-4", Heavy Service Commercial/Light Industrial

(d) Industrial accessory structures shall be allowed in the following base zones and these zones when attached to a combining zone, unless otherwise prohibited by this ordinance.

- (i) "SP" Specific Plan
- (ii) "C-4", Heavy Service Commercial/ Light Industrial
- (iii) "I", Industrial

#### SECTION 5.102: PROHIBITION

No accessory structure or building shall be built or moved on to a lot prior to commencing construction of the primary building. No accessory building shall be used as sleeping or housekeeping quarters unless expressly permitted in the zone district in which the building is located. An accessory structure shall contribute to the lot coverage.

#### SECTION 5.103: HEIGHT LIMITATIONS FOR ACCESSORY STRUCTURES

Accessory structures shall not exceed fifteen (15) feet in height.

#### SECTION 5.104: SETBACK DISTANCES FOR RESIDENTIAL ACCESSORY STRUCTURES

Residential accessory structures and buildings, except garages, carports, swimming pools, spas, decks and patios, shall meet the same setback requirements as principal buildings except that such structures may be located within three (3) feet of any rear and interior side lot line.

#### SECTION 5.105: SWIMMING POOLS, SPAS, PATIOS AND DECKS

Swimming pools, spas, patios and decks shall meet the same setback requirements as principal buildings except that such structures may be located within five (5) feet of any rear lot line.

#### SECTION 5.106: GARAGES AND CARPORTS

Garages and carports shall meet the same setback requirements as principal buildings.

#### SECTION 5.107: MAXIMUM FLOOR AREA FOR RESIDENTIAL ACCESSORY STRUCTURES

The maximum size of a residential accessory building shall not exceed one thousand (1000) square feet.

#### SECTION 5.108: ACCESSORY RESIDENCE TO A COMMERCIAL/INDUSTRIAL STRUCTURE

The accessory residence shall be constructed concurrently with, or subsequent to, the construction of the commercial building and shall be an accessory use to the principal commercial building or use in terms of duration or size.

- (b) The accessory residence must be provided with usable open private open space, in the form of an enclosed yard, decks, balconies, not including any required yard area, not less than one square foot usable open space for every two (2) square feet of residential space.
- (c) Fire and vehicular access to the accessory residence of at least twelve (12) feet in width must be provided from a street or alley of a minimum width of twenty (20).
- (d) The accessory residence must be provided with separate means of ingress and egress to the ground outside of the building when the accessory residence is an integral part of the



business structure.

- (e) The accessory residence shall comply with the development standards of the zoning district and the performance standards of Chapter 5.5.
- (f) One (1) parking space shall be provided for the exclusive use of the accessory residence in addition to the parking requirements of the commercial building or use.

#### SECTION 5.109: OTHER PROVISIONS

- (a) Overhangs of storage sheds shall not encroach within thirty (30) inches of a side or rear lot line.
- (b) Outdoor storage must be completely enclosed by a six (6) foot high solid fence or screen.
- (c) Mobile homes or travel trailers can not be used for accessory structures.
- (d) Where chimneys, silos, cupolas, flag poles, monuments, gas storage holders, radio and other towers, water tanks, church steeples and similar structures and mechanical appurtenances are permitted in a district, height limits may be exceeded upon the securing on a conditional use permit.
- (e) The distance between a residential dwelling and livestock accessory structure shall be thirty-five (35) feet.

## CHAPTER 5.2: DENSITY BONUSES

### SECTION 5.200: PURPOSE

The purpose of this chapter is to implement State law requirements (GovC 65915) for density bonuses in residential projects which provide housing for persons and families of low or moderate income.

### SECTION 5.201: BONUS REQUIREMENTS FOR RESIDENTIAL PROJECTS

A density bonus of twenty five (25) percent over the maximum density specified by the general plan shall be granted for residential projects of five (5) or more units in which at least twenty five (25) percent of the units are affordable to persons and families of low or moderate income or in which ten (10) percent of the units are affordable to lower income households. Only one (1) of the above density bonuses may apply to a qualifying project.

### SECTION 5.202: DEFINITION OF INCOME REQUIREMENTS

Low and moderate income persons and families are defined in Section 50093 of the Health and Safety Code. Lower income households is defined in Section 50079.5 of the Health and Safety Code.

### SECTION 5.203: DETERMINING DENSITY BONUS

The units allowed as part of the density bonus shall not be included when determining the number of dwelling units on which the density bonus is based.

### SECTION 5.204: DENSITY BONUS PERMIT REVIEW AND APPROVAL

No bonus may be granted until an application for a density bonus has been submitted and approved. An application for density bonus shall include the following:

- (a) Name and address of applicant.
- (b) Name and address of property owner(s).
- (c) Assessor's parcel number.
- (d) Legal description.
- (e) A site plan consistent with the requirements of Section 1.702.
- (f) A narrative description of the proposed development, including, the following:



- (i) Total number of dwelling units per acre.
- (ii) Number of dwelling units to be made available to persons of low and moderate income or to lower income households, if applicable.
- (iii) Method of maintaining the affordability of the units described.
- (iv) Building coverage expressed as a percent of the total area of the property.
- (v) Amount of area devoted to landscaping or usable open space as a percent of the total area of the property.
- (vi) Method of sewage disposal.
- (vii) Water supply, domestic and for fire.
- (viii) Drainage facilities.

#### SECTION 5.205: REVIEW AND APPROVAL

Where a discretionary permit or rezoning is required for the project in which the density bonus is to apply, the application shall be considered part of that permit or rezoning request and reviewed and approved in conjunction with that permit or rezoning.

## CHAPTER 5.3: PARKING

### SECTION 5.300: PURPOSE

In order to prevent traffic congestion, off-street parking facilities shall be provided incidental to any new building or structure and alterations and enlargements of existing uses. Off street parking facilities shall be laid out in such a manner that they will protect the public safety and insulate surrounding land uses from their impact.

### SECTION 5.301: MINIMUM PARKING REQUIREMENTS FOR RESIDENTIAL USES

#### (a) Single and Two Family Detached Dwellings

Two (2) spaces per dwelling unit within the buildable portion of the lot. The required parking spaces may be provided within a garage, under a carport, on an all weather surface, or any combination thereof. When a carport or garage for vehicles opens onto the side street yard, a driveway length of at least twenty (20) feet shall be provided for the temporary parking of vehicles free and clear of the street right-of-way. Driveways, at a minimum, shall be paved at least twenty (20) feet in length where the driveway encroaches onto an already paved or chipsealed road or driveway. Other driveways must be composed at a minimum of a compacted, all weather surface.

#### (b) Multiple Family Dwellings

Two (2) spaces per dwelling unit, except one (1) bedroom units which shall provide one and one half (1.5) parking spaces for each dwelling unit. Any room which could be converted to a bedroom (such as a den) shall be considered a bedroom when computing required parking. At least five-tenths (.5) parking space per unit shall be provided as guest parking. At least one parking space per unit shall be covered. Elderly housing units shall have at least three (3) parking spaces per four (4) units. Elderly housing is housing restricted to persons over 60 through state or federal housing or financing programs.

#### (c) Transient Lodging including Motels, Hotels, Auto Courts and Resorts

One (1) space for each sleeping room, suite of rooms or housekeeping unit. Where other principal uses are located on the premises such as restaurants, bars and meeting rooms, one hundred (100) percent of the requirement specified in this chapter for the principal use requiring the greatest amount of parking shall be provided, and seventy (70) percent of the requirement specified in this chapter for the



other uses shall be provided in addition.

- (d) Group Quarters including Boarding Houses, Fraternity and Sorority Houses, Dormitories and Group Care Facilities

One (1) space for every two (2) occupants based upon the maximum occupant load of the sleeping or dining area, which ever is greater.

- (e) Family Care Homes

In addition to the number of spaces provided pursuant to Section 5.301 (a), a family care home providing care for six (6) or more adults, shall provide two (2) additional parking spaces for every six (6) adults receiving care in the home and one (1) parking space for every two (2) employees.

- (f) Large Family Day Care Homes

In addition to the number of spaces provided pursuant to Section 5.301 (a), a large family day care home, or other similar uses, shall provide one additional parking space.

- (g) Nursery Schools and Child Day Care Centers)

One (1) parking space for each employee or required adult participant plus three (3) passenger loading space for every eight (8) children.

- (h) Mobile Home Parks

Two (2) off-street parking spaces for each mobile home space, and at least one (1) additional space for guest parking, for each four (4) mobilehome spaces within the park.

- (i) Recreational Vehicle (RV) Parks

One and one-half (1.5) parking spaces per RV site.

#### SECTION 5.302: MINIMUM PARKING REQUIREMENTS FOR COMMERCIAL USES

- (a) Retail Stores not otherwise listed

Four and one-half (4.5) spaces for every one thousand (1000) square feet of gross floor area.

- (b) Shopping Centers and Mixed Use Development

Four and one-half (4.5) parking spaces for every one thousand (1000) square feet of gross floor area. If the

total cumulative gross floor area of any single use within the development exceeds ten (10) percent of the gross floor area of the development the appropriate parking requirement for that single use applies to that use in lieu of the shopping center parking requirement.

- (c) Eating Establishments including Cafes, Cafeterias, Coffee Shops, Fountains and Restaurants

One (1) parking space for every three (3) seats based upon the capacity of the fixed and movable seating area as determined under the Uniform Building Code.

- (d) Drinking Establishments including Taverns, Lounges and Bars

One (1) parking space for every two (2) seats based upon the capacity of the fixed and moveable seating area as determined under the Uniform Building Code.

- (e) Uncovered Sales Areas including New or Used Automobile Sales, Boat or Trailer Sales, Lumber or Building Material Yards and Plant Nurseries

Five (5) customer parking spaces for the first five thousand (5,000) square feet of uncovered sales area regardless of the actual area covered; one (1) customer parking space for each additional one thousand (1,000) square feet of uncovered sales area to a required maximum of twenty (20) customer parking spaces, and; one (1) parking space for each employee.

- (f) Building Materials

Four and one-half (4.5) spaces for every one thousand (1000) square feet of gross floor area in the main retail building, plus whatever additional parking is required by the application of Section 5.302 (c) to the balance of the sales area that is not within the main building.

- (g) Retail Furniture, Major Appliance, Floor Covering, Piano and Organ Retail Sales

One and two-tenths (1.2) spaces for every one thousand (1000) square feet of gross floor area.

- (h) Barber Shops

Three (3) parking spaces for each employee or one (1) parking space for every one hundred fifty (150) square feet of gross floor area, whichever is greater, shall be provided.



(i) Beauty Shops, Wig Salons and Similar Uses

Four (4) parking spaces for each employee or one (1) parking space for every one hundred fifty (150) square feet of gross floor area, whichever is greater, shall be provided.

(j) Dance Halls, Ballrooms, Discos and Dancing Areas

One (1) parking space for every two (2) seats base upon the capacity of the fixed and movable seating area as determined under the Uniform Building Code or one (1) parking space for every fifty (50) square feet of dance floor area, whichever is greater. Restaurants, bars, and other recreational uses with incidental dancing shall provide parking according to the standard specified above based upon the area of that portion of the premises oriented to the dance floor. The parking required for the portion of the premises not oriented to the dance floor shall be based upon the standards specified in this ordinance for the principal use of the premises. The Chief Building Inspector shall determine which portions of the premises are oriented to the various uses.

(k) Household Appliance and Equipment Repair Shops

One (1) parking space for every two hundred (200) square feet of gross floor area plus one (1) parking space for each employee shall be provided.

(l) Automobile Repair and Service Shops

Five (5) parking spaces for every one thousand (1000) square feet of gross floor area.

SECTION 5.303: MINIMUM PARKING REQUIREMENTS FOR OFFICE AND PROFESSIONAL USES

(a) Professional Offices and Office Complexes not otherwise listed

Four and one-half (4.5) spaces for every one thousand (1000) square feet of gross floor area. Interior hallways used for access to office suites need not be counted in determining gross floor area.

(b) Medical and Dental Offices

Six and one-half (6.5) spaces for every one thousand (1000) square feet of gross floor area.

- (c) Financial Services including Banks, Saving and Loans and Credit Unions

Five (5) spaces for every one thousand (1000) square feet of gross floor area.

SECTION 5.304: MINIMUM PARKING REQUIREMENTS FOR INSTITUTIONAL USES

- (a) Elementary and Junior High Schools

One (1) parking space for each employee or one (1) parking space for every three (3) seats in the auditorium or multi-purpose room, whichever is greater, plus off-street loading space for at least two school buses.

- (b) High Schools

One (1) parking space for each employee and one (1) parking space for every three (3) students in the 11th and 12th grades, or one (1) parking space for every three (3) seats in the main auditorium or stadium, whichever is the greater.

- (c) Colleges

One (1) parking space for each employee and one (1) parking space for every two (2) students, or one (1) parking space for every three (3) seats in the main auditorium or stadium, whichever is the greater.

- (d) Hospitals

Two (2) parking spaces for each bed licensed by the State. Any out-patient facilities shall provide additional parking as required for a medical office.

- (e) Convalescent Hospitals, Nursing Homes and Sanitariums

One (1) space for every four (4) beds licensed by the County or State.

- (f) Churches and other places of worship, Mortuaries and Funeral Homes

One (1) parking space for every three (3) seats within the main chapel or assembly room.

- (g) Cemeteries, Crematories, Mausoleums, Columbariums, and Funeral Establishments when incidental to a cemetery,

One (1) parking space for every two (2) seats in the main assembly room plus one (1) parking space for each regular



employee and one (1) parking space for each vehicle operated on the grounds by the proprietary institution.

- (h) Public Utilities, Communication Equipment Buildings and Utility Service Yards

One (1) parking space for each employee on the premises at any one time including overlaps in shifts.

#### SECTION 5.305: MINIMUM PARKING REQUIREMENTS FOR INDUSTRIAL USES

- (a) Manufacturing Plants, Machine Shops and Contractors and Industrial Facilities

One (1) parking space for each employee and each company operated vehicle or one (1) parking space for every five hundred (500) square feet of gross floor area and each company operated vehicle or two (2) parking spaces for every three (3) employees on each of the two (2) larger shifts plus one (1) parking space for each company operated vehicle, whichever is greater.

- (b) Warehouses and Storage Buildings

One (1) parking space for each employee plus one (1) parking space for each company operated vehicle, or one (1) parking space for every two thousand (2,000) square feet of gross floor area, whichever is greater.

#### SECTION 5.306: MINIMUM PARKING REQUIREMENTS FOR RECREATIONAL USES

- (a) Physical Fitness Centers, Health Studios, Steam Baths, and Similar Uses

One (1) parking space for every two (2) occupants based upon the maximum occupant load as determined under the Uniform Building Code .

- (b) Bowling Centers

Four (4) parking spaces for each lane. Other principal uses within the bowling center such as restaurants, pool halls, cocktail lounges and other uses shall provide additional parking spaces as required by the provisions of this chapter for each such use.

- (c) Skating Rinks

One (1) parking space for every one hundred (100) square feet of skating area. Other uses within the skating center such as seating for observation, game rooms and other uses

shall provide additional parking spaces required by the provisions of this chapter for each use.

(d) Tennis and Other Court Games

Two (2) parking spaces for each court.

(e) Pools not accessory to residential uses.

One (1) parking space for every one hundred (100) square feet of pool area. Other uses within the pool area or building such as seating for observation, game rooms and other uses shall provide additional parking spaces required by the sum of other uses, as specified in this chapter.

(f) Swimming and Tennis Clubs, Cabana Clubs, Public Neighborhood Pools and similar recreational clubs or facilities

The number of parking spaces required by the use requiring the greatest parking area plus fifty (50) percent of the parking required by the sum of other uses, as specified in this chapter.

(g) Golf Courses

Seven (7) parking spaces for each hole. Additional parking spaces are not required for the following accessory uses: driving ranges, putting greens, shower and locker rooms, and maintenance shops or buildings.

(h) Driving Ranges and Shooting Ranges

One and one-half (1.5) parking spaces for each tee or shooter station.

(i) Miniature Golf Courses and Pitch and Putt Courses

One and one half (1.5) parking spaces for each hole.

(j) Game Room/Amusement Arcade

One (1) parking space for every one hundred fifty (150) square feet of floor area.

(k) Commercial Stables

One (1) space for each employee and one (1) space for every five (5) stalls.

(l) Marinas

One (1) parking space for every two (2) berths and two (2)



passenger loading spaces provided convenient to the marina entrances. The spaces are to be paved and signed as loading spaces. These spaces maybe located on-street, if approved by the Public Works Department.

(m) Parks

Five (5) percent of the total area for off-street parking facilities for parks over ten (10) acres. Parking requirements for public parks less than ten(10) acres shall be determined by the Site Plan Review Committee.

(n) Stadiums, Ball Parks and other Outdoor Sports Areas with fixed seating

One (1) parking space for every four (4) seats.

(o) Pool and Billiard Rooms

Two (2) parking spaces for each table.

(p) Card Rooms

One (1) parking space per seat.

SECTION 5.307: PARKING REQUIREMENTS OF USES NOT LISTED

For uses not listed in this Chapter, off-street parking shall be provided as determined by the Site Plan Review Committee based on the requirements for the use which is most closely analogous to the use in question.

SECTION 5.308: GENERAL PARKING STANDARDS, EXCLUDING SINGLE FAMILY DWELLINGS

Accessible off-street parking areas shall be provided and maintained as set forth in this chapter. Off-street parking spaces shall be designed so that vehicles do not back out into a public street. The parking access area shall provide room for motor vehicles to maneuver around structures or areas of land or water. Where there is a combination of principal uses in any one facility, the sum of the parking requirements of these uses shall be provided unless otherwise indicated. If the calculation of parking needs results in the requirement for a fraction of a parking space, such a parking space need not be provided unless the fraction exceeds fifty (50) percent. This chapter shall not be construed to prohibit the installation and maintenance of more parking spaces than the minimum required.

SECTION 5.309: SEATS OR SEATING CAPACITY

Where the standards for parking set forth in this chapter are



based upon seating capacity, the capacity shall be determined by the actual seating capacity. Where pews or benches will be used, seating capacity will be based on the following: one (1) seat per eighteen (18) inches of pew or bench length and one (1) seat per thirty (30) inches of booth length for dining. Where actual seating is not identified, the occupant load standards of the Uniform Building Code shall be used to establish maximum seating capacity.

#### SECTION 5.310: BUILDING PERMITS

Plans submitted for a building permit to construct a building which has public parking areas shall include the design of the required parking area drawn to scale. Such plans shall include all parking spaces and maneuvering areas, curb cuts, landscaping and other improvements. The building permit shall not be issued until zoning clearance has been approved and no final completion inspection approved until the parking spaces and required landscaping are installed. No business license shall be approved until final completion inspection is obtained.

#### SECTION 5.311: CHANGE OF OCCUPANCY

For a change of occupancy where the parking demand is increased more than ten percent (10%) and where no new construction requiring a building permit is anticipated, but a new business license is required, the Planning Director shall review the parking requirements of the proposed use. No new business license shall be issued until the Planning Director has approved the parking plan. Two (2) copies of such plan drawn to scale shall be submitted to the Division of Planning for approval. The plan shall show the whole property in question and the means of ingress and egress, location of the building, parking spaces, landscaping and any other proposed facilities. If the plan conforms to provisions of this chapter the Planning Director shall approve the parking plan and the business license may be issued.

#### SECTION 5.312: PARKING REDUCTIONS

An applicant of an office, commercial or industrial project may provide alternative facilities or programs which serve to reduce parking demand in return for a reduction in vehicle parking requirements. Vehicle parking requirements may be reduced in accordance with the following provisions:

##### (a) Shower/Locker Facilities

Developments with one hundred (100) or more employees may reduce their parking requirement by providing shower and clothing locker facilities for bicycle commuting employees. Maximum reduction: two (2) percent of required parking or



five (5) spaces, whichever is greater.

(b) Secure Bicycle Parking

Developments which provide secure bicycle parking facilities may reduce their parking requirement by one (1) vehicle space for every three (3) bicycle spaces provided. Maximum reduction: two (2) percent of required parking.

(c) Preferred Carpool/Vanpool Parking Spaces

Office or industrial developments which guarantee preferred parking spaces (e.g., covered, shaded or near building entrance) to employees who participate regularly in a carpool or vanpool may reduce their parking requirement by one (1) vehicle space for every one (1) space which is marked and reserved for carpools/vanpools at a preferred location. Maximum reduction: two (2) percent of required parking.

(d) Request For Special Review of Parking

(i) Parking reductions exceeding the maximums specified in (a) through (c) above, or modifications of improvement requirements, may be granted whenever such reduction or modification is considered in conjunction with a review of a permit authorized by this ordinance. The project applicant shall submit with the request whatever evidence and documentation is necessary to demonstrate that unusual conditions warrant a parking reduction, such as the multiple use of a parking area by uses having peak parking demands which occur at different times; floor plans which indicate that the floor area devoted to customer or employee use is less than typical for the size building proposed; or that other programs will be implemented by the developer or tenant(s) which will result in a demand for parking at the site which is less than would otherwise occur. The appropriate authority may require as a condition of approval of the parking reduction the recordation of agreements with the County Recorder prior to issuance of a building permit. This is to assure that appropriate programs are implemented for the duration of the parking reduction.

SECTION 5.313: OFF-SITE PARKING

Parking may be allowed off-site and off-street on non-contiguous parcels in the following situations:

(a) Parking spaces for places of public assembly requiring more than fifty (50) parking spaces may be located within six hundred (600) feet of the lot line of the parcel containing



the public assembly use.

- (b) Parking spaces for other uses may be located within three hundred (300) feet of the lot line of the parcel containing the building or use that the parking is to serve.
- (c) Such parking may be allowed after site plan review and provided that a lease agreement or other guarantee has been recorded that provides that the parking will exist as long as the use it serves, unless the parking is replaced with other spaces that satisfy the requirements of this Chapter.

#### SECTION 5.3143: EXISTING FACILITIES

Any building or use for which parking facilities become substandard by the adoption of this chapter shall be considered a non-conforming use. Such non-conforming use may continue, but no enlargement or expansion shall be made in such use or building, unless the required number of parking spaces or parking area as designated by this chapter are provided. Any change of use or expansion of existing use in an existing building or lot when the parking demand is increased by ten percent (10%) shall provide the additional parking areas required in this chapter.

#### SECTION 5.315: COMPACT CAR SPACES

Up to thirty (30) percent of the spaces in a parking facility with ten (10) or more spaces may be designed and designated for compact cars.

#### SECTION 5.316: HANDICAPPED PARKING

Parking spaces for the handicapped shall be provided and designed in accordance with the requirements of Chapter 2-71 of Title 24 of the California Administrative Code. When less than five (5) total parking spaces are provided one of these spaces shall be fourteen (14) feet wide and stripped to provide a nine (9) foot parking area and a five (5) foot loading and unloading area. However, there is no requirement that the space be reserved exclusively for handicapped use.

#### SECTION 5.317: OFF-STREET LOADING SPACES

For every building or facility occupied by manufacturing, storage, warehouse, wholesale or retail store, market, passenger terminal, theater, hotel, motel, restaurant, hospital, laundry, dry cleaning plant, or other similar use requiring the receipt or distribution of vehicles or merchandise, adequate space for standing, loading, and unloading shall be provided and maintained on the same lot in addition to the parking requirements of this chapter.



- (a) Off-street loading berths may be located within buildings, shall be provided on the same lot as the use they serve, and shall not occupy the required front or street side yard. Off-street loading berths shall not be located within fifty (50) feet of a residential district.
- (b) Off-street loading berths shall not be less than fourteen (14) feet wide and twenty-five (25) feet long. Each loading berth, inclusive of the area upon which unloading vehicles are parked, shall have access to a street or alley as to not interfere with existing or projected traffic movement, pedestrian circulation, or ingress to or egress from parking areas or circulation within such parking areas.
- (c) Each loading berth shall have a well-drained, paved surface.
- (d) Off-street loading berths shall not satisfy requirements for off-street parking space nor shall they be used for vehicle repairs or servicing.
- (e) Minimum number of berths required. If more than one (1) use is combined in one structure or development, the combined number of berths shall be provided. Where uses are not specified, or ambiguity arises, the Planning Director shall determine the requirements for the most comparable use.

| USE                                                                                                                                        | GROSS FLOOR<br>AREA SQUARE FEET                      | NUMBER<br>OF BERTHS |
|--------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------|---------------------|
| (i) Multiple family dwelling . . . . .<br>with more than twenty<br>(20) units and more than<br>thirty-five (35) feet<br>high one (1) berth |                                                      | 1                   |
| (ii) School . . . . . over 2,000. . . . .                                                                                                  |                                                      | 1                   |
| (iii) Auditorium, convention . . . . .                                                                                                     | 49,000 - 60,000 . . . . .                            | 1                   |
| hall, sports arena, . . . . .                                                                                                              | 60,000 - 100,000 . . . . .                           | 2                   |
| meeting hall . . . . .                                                                                                                     | 100,000 - 150,000 . . . . .                          | 3                   |
|                                                                                                                                            | for each additional<br>100,000 or fraction . . . . . | add 1               |
| (iv) Retail trade and . . . . .                                                                                                            | 7,000 - 14,000 . . . . .                             | 1                   |
| service and personal . . . . .                                                                                                             | 14,000 - 40,000 . . . . .                            | 2                   |
| services . . . . .                                                                                                                         | 40,000 - 80,000 . . . . .                            | 3                   |
|                                                                                                                                            | for each additional<br>50,000 or fraction . . . . .  | add 1               |
| (v) Hospital, clinic, . . . . .                                                                                                            | 10,000 - 100,000 . . . . .                           | 1                   |
| sanatorium, jail . . . . .                                                                                                                 | for each additional . . . . .                        |                     |
| or welfare institution . . . . .                                                                                                           | 250,000 or fraction . . . . .                        | add 1               |

|                               |                            |       |
|-------------------------------|----------------------------|-------|
| (vi) Hotel or office . . . .  | 25,000 - 40,000 . . . . .  | 1     |
|                               | 40,000 - 100,000 . . . . . | 2     |
|                               | for each additional        |       |
|                               | 100,000 or fraction . . .  | add 1 |
| (vii) Freight terminal, . . . | 10,000 - 40,000 . . . . .  | 1     |
| truck terminal, . . . . .     | 40,000 - 65,000 . . . . .  | 2     |
| industrial plant . . . . .    | 65,000 - 100,000 . . . . . | 3     |
| manufacturing or . . . . .    | for each additional        |       |
| wholesale establishment . . . | 50,000 or fraction . . .   | add 1 |

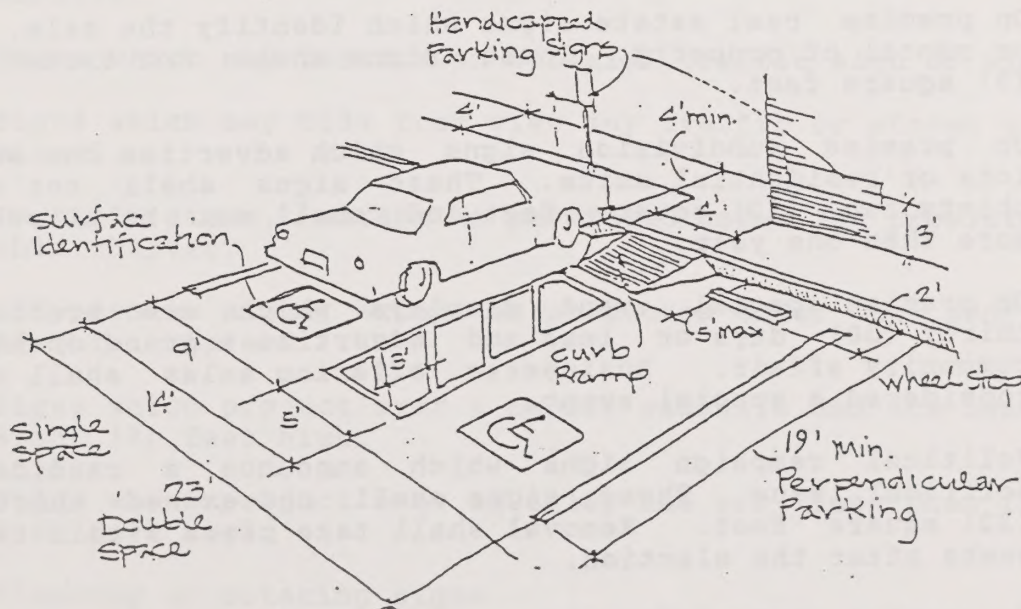
#### SECTION 5.318: PARKING DESIGN STANDARDS

All off-street parking facilities shall conform to the following standards:

- (a) Required parking spaces for single family dwellings and duplexes shall have all weather surfaces unless otherwise stated. All parking areas, aisle and access drives for all other uses shall be paved in accordance with the requirements of the Clearlake Improvement Manual or to the satisfaction of the Public Works Director.
- (b) Parking stall dimensions shall be as follows:
  - (i) Standard space:
    - a) Width: Nine (9) feet.
    - b) Length: Nineteen (19) feet.
  - (ii) Compact space:
    - a) Width: Eight (8) feet.
    - b) Length: Sixteen (16) feet.
  - (iii) Handicapped space:
    - a) Width: Fourteen (14) feet.
    - b) Length: Nineteen (19) feet.
  - (iv) Parallel space: Length shall be twenty-four (24) feet.
- (c) Parking aisle dimension shall be as follows:
  - (i) Ninety degree: Twenty-four (24) feet.
  - (ii) Seventy degree: Nineteen (19) feet.



- (iii) Sixty degree: Eighteen (18) feet.
- (iv) Forty-five degree: Thirteen (13) feet.
- (v) Parallel parking: Twelve (12) feet.
- (vi) Minimum aisle width for two way traffic shall be twenty-four (24) feet.
- (vii) Parking aisle dimensions at other configurations shall be approved by the Public Works Director.
- (d) Parking lots which are adjacent to sidewalks or landscaped areas or which include landscape planters shall be constructed to prevent bumper or vehicle overhung from damaging the landscaping or reducing the sidewalk width to less than four (4) feet.
- (e) All parking lots of ten (10) spaces or more shall have at least five percent (5%) of the parking lot area devoted to landscaped planters. One fifteen (15) gallon tree shall be planted for every five (5) spaces. All landscaped planters shall be provided with an irrigation system.
- (f) Required parking shall not be provided within the required front yard or the required street side yard setbacks."



## CHAPTER 5.4: SIGNS

### SECTION 5.400: PURPOSE

The purpose of this chapter is to regulate the size, height, design, location, number and quality of signs to protect the character of neighborhoods and the rural environment of the City of Clearlake, assure open views and vistas to scenic resources, provide a form of communication for businesses without undesirable clutter; and, protect public safety and welfare by precluding signs which are visual obstructions to motorists and or pedestrians. This chapter also encourages signs which are well designed in terms of appearance, spacing, and location.

### SECTION 5.401: APPLICATION

Except as otherwise noted in this chapter, it shall be unlawful for any person to erect, build or relocate any sign in the City of Clearlake without obtaining a building or conditional use permit.

### SECTION 5.402: EXEMPTIONS

The following types of signs shall be exempt from all requirements of this chapter:

- (a) Temporary on premise construction signs which identify the architects, engineers, contractors or other individuals or firms which are involved with a construction project.
- (b) On premise real estate signs which identify the sale, lease or rental of property. These signs shall not exceed eight (8) square feet.
- (c) On premise subdivision signs which advertise the sale of lots or residential units. These signs shall not exceed thirty two (32) square feet and shall not be allowed for more than one year.
- (d) On premise special event displays which are erected for thirty (30) days or less and advertise a grand opening or community affair. Businesses offering sales shall not be considered a special event.
- (e) Political campaign signs which announce a candidate or political issue. These signs shall not exceed thirty two (32) square feet. Removal shall take place within two (2) weeks after the election.
- (f) On premise show window signs.
- (g) Institutional and public signs.



- (h) On premise flags, plaques, and nonprofit banners.
- (i) On premise address signs.
- (j) Integral signs which have been built into a building where the sign has been carved into stone or fixed to the building using a metal plaque.
- (k) Small signs which do not exceed four (4) square feet and are fixed flat against a building and only announce the name and occupation of the building tenant(s) or the name of the commercial enterprise located within the building.
- (l) Interior signs.
- (m) Signs which benefit the public's health, safety or welfare including; signs marking underground utility facilities, public telephone signs and signs, cones, flags, and signals directing traffic in street construction zones.
- (n) Agricultural signs. One (1) sign up to eight (8) square feet in area identifying the agricultural products produced on the premises permitted by the applicable zone regulations and not illuminated.

#### SECTION 5.403: PROHIBITED SIGNS

The following signs are prohibited from being erected in the City of Clearlake.

- (a) Signs which may imitate an official traffic sign or signal.
- (b) Signs which may hide from view any traffic or street sign or signal.
- (c) Portable signs, except as permitted under the provisions of this chapter.
- (d) Off-premise signs, except as permitted under the provisions of this chapter.
- (e) Signs which project over a public sidewalk and are less than eight (8) feet high.
- (f) Signs which project over an alley and are less than fifteen (15) feet high.
- (g) Flashing or rotating signs.

#### SECTION 5.404: SIGNS ALLOWED BY DISTRICT

Signs located in the following districts and that are consistent with the following provisions shall be allowed with a building permit. The standards contained within this section apply to one side of the sign.

(a) Zones A, O, and RR:

- (i) Signs identifying the sale of products raised on the property. These signs shall not exceed thirty two (32) square feet.
- (ii) A sign signifying the sale, lease or rental of the property. This sign shall not exceed thirty two (32) square feet.

(b) Zones RP, BV, R-1, R-3 and permitted uses in VA and MUR:

- (i) One externally illuminated permanent subdivision or multiple family entrance sign. This sign shall not exceed thirty two (32) square feet nor shall it be located in a public right of way.
- (ii) Signs identifying neighborhood commercial uses which are consistent with provisions in Section 5.404 (d).

(c) PA Zone:

- (i) One and one half (1 1/2) square feet for each linear foot of building frontage. However, the total signage shall at no time exceed three hundred twenty five (325) square feet. These signs may be free standing or wall mounted, or a combination of both.
- (ii) Signs shall not project into a public right of way. If ground mounted the top of the sign shall not exceed four (4) feet. If the sign is mounted on the building it shall be fixed flush with this structure.

(d) Zones C-1, C-2, and C-3 and uses requiring a conditional use permit in VA, MUR, C-4 and I Zones:

- (i) A total sign area of one and one half (1.5) square feet for each lineal foot of building frontage or one half (.5) square foot for each lineal foot of lot frontage, whatever results in the larger sign area. The maximum total area of all permitted signs for any commercial establishment shall not exceed three hundred twenty five (325) square feet. Where the frontage is on more than one street, only the signs computed using the frontage of that street shall face that street.



- (ii) Signs may be projecting signs only where they are no closer than six (6) feet from the right-of-way.
- (iii) Where a building does not cover the full frontage of the property, one (1) free standing or ground mounted sign will be allowed per lot of record no higher than twenty (20) feet.
- (iv) Commercial uses which are highway oriented shall be permitted one free standing sign no higher than twenty (20) feet high. This sign shall not encroach within twenty (20) feet of a curb. The maximum area for this sign shall be sixty (60) square feet. Both sides of the sign may be used.

#### SECTION 5.405: SIGNS ALLOWED WITH A CONDITIONAL USE PERMIT

The following signs shall require a conditional use permit:

- (a) Off-premise signs (billboards).
- (b) Murals.
- (c) Business and church directory signs and City of Clearlake identification signs, billboards, or monuments, shall be allowed in any district which is located at a public road entering Clearlake.

#### SECTION 5.406: DEVELOPMENT STANDARDS

- (a) Except as otherwise provided in this chapter all signs shall be constructed pursuant to the regulations of the Uniform Building Code.
- (b) Lighting for externally illuminated signs shall be so arranged so that the light is not directly visible from the public right of way or adjacent property.

#### SECTION 5.407: OTHER PROVISIONS

- (a) Any sign which was erected legally prior to the effective date of this ordinance which does not meet the requirements of this chapter shall be deemed a non conforming use. Maintenance of the sign shall be allowed but not alterations which would increase its non-conforming status.
- (b) If a business establishment vacates its premises and its operation ceases, all signs on the premise shall become illegal and shall be removed within sixty (60) days upon notification of the Planning Director.

- (c) The following standards shall apply to all sandwich signs:
- (i) Shall be located outside the public right-of-way.
  - (ii) Shall not pose a traffic safety hazard.
  - (iii) Shall not be larger than two (2) by three (3) feet on each side.
  - (iv) Removed by 6 p.m. each day.
  - (v) One (1) sandwich sign per business.
  - (vi) The square footage of the sign shall be included in the total three hundred twenty five (325) square feet of allowable signage.
  - (vii) Sandwich signs may be located within required yards.
- (d) Pole, ground and projecting signs may extend into required yards.



## CHAPTER 5.5: PERFORMANCE STANDARDS

### SECTION 5.500: PURPOSE

It is the intent of these standards to assure that land uses and activities in Clearlake do not create nuisances or conditions which may be hazardous to persons or property.

### SECTION 5.501: VIBRATIONS

No vibration shall be produced which is perceptible without instruments beyond the property line.

### SECTION 5.502: NOISE

Land uses and activities shall comply with the noise requirements of the Clearlake Noise Ordinance.

### SECTION 5.503: LIQUID WASTE

Liquid waste shall not be discharged into a public sewer system unless it has been pretreated to a level required by the jurisdiction managing the waste water treatment system. Discharge of liquid waste into rivers, creeks, ditches, or Clear Lake is prohibited.

### SECTION 5.504: ODORS

The emission of odorous matter shall not be readily detectable beyond the property line so as to become a public nuisance or hazard.

### SECTION 5.505: SOLID WASTE

The disposal or dumping of solid wastes accessory to any use or activity in Clearlake shall only be allowed at registered and/or certified waste disposal sites. Disposal onto vacant lots, agricultural land, or into a watercourse or Clear Lake shall be prohibited.

### SECTION 5.506: FLAMMABLE MATERIAL

All uses involving the use or storage of combustible, explosive, caustic, or otherwise hazardous materials shall comply with all applicable local, State and federal safety standards and shall be provided with adequate safety devices against the hazard of fire and explosion, and adequate fire-fighting and fire suppression equipment.

### SECTION 5.507: GLARE AND LIGHTS

Glare and lights, except street lights, shall not illuminate

areas beyond the property line so as to not become a public nuisance or hazard.

#### SECTION 5.508: AIR QUALITY

All uses shall comply with applicable local, State and federal laws and regulations regarding contaminants and pollutants. This requirement includes, but is not limited to, emissions of suspended particulates, carbon monoxide, hydrocarbons, odors, toxic or obnoxious gases and fumes.

#### SECTION 5.509: ELECTROMAGNETIC INTERFERENCE

No use shall produce electromagnetic interference with any activity on other properties. Utilities and communications facilities shall comply with all applicable state and federal regulations.

#### SECTION 5.510: GEOTHERMAL ACTIVITIES

The following standards shall be applicable to geothermal projects:

- (a) Heavy truck traffic will be restricted to daylight hours.
- (b) All drilling muds/wastes and fluids produced during well testing must be contained on site.
- (c) If cultural or archeological resources are encountered during excavation or other site disturbance, all construction activity in the immediate area shall cease until mitigation measures can be determined by the Clearlake Planning Department.
- (d) The California Regional Water Quality Control Board, Central Valley Region, will be contacted to prevent ground and surface water degradation.
- (e) Dust control measures shall be implemented when appropriate.
- (f) No petroleum products from drilling operations will be discharged into the underground aquifer or surface water courses.
- (g) Reclamation of the site after drilling or abandonment of project shall be required at the developer's expense.
- (h) Revegetation of the site shall be required after development or abandonment at the developer's expense.
- (i) The well site shall be protected by fencing, or other appropriate measures to prevent injuries and vandalism.



- (j) A noise limit may be appropriate for night time activities near residences.
- (k) High temperature geothermal projects shall not be located within one (1) mile of residential districts.

## CHAPTER 5.6: STREET IMPROVEMENTS

### SECTION 5.54000: PURPOSE

The purpose of this chapter is to promote safety in circulation patterns and reduce maintenance of public streets.

### SECTION 5.54001: STREET IMPROVEMENTS

The following street improvements and dedications shall be completed prior to the issuance of a final building occupancy permit unless stated otherwise in this ordinance. State licensed mobile-home parks will be required to meet the provisions of Title 25 of the State Code.

- (a) Street and road dedications shall be made to the City of Clearlake in a manner prescribed by the Public Works Department and consistent with the Circulation Element of the Clearlake General Plan.
- (b) Curbs, gutters, street paving and in areas of heavy pedestrian traffic, sidewalks shall be constructed as a condition of all development, except single family and duplex construction on existing lots of record. These improvements may be deferred upon approval of the reviewing authority and the City Engineer. Such deferral shall be allowed only after acceptance of a suitable improvement guarantee agreement by the City.
- (c) All street improvements shall be consistent with the Clearlake Improvements Manual or approved by of the Public Works Director.

### SECTION 5.54002: DRIVEWAY APPROACHES

- (a) Driveway approaches shall be limited to the following widths exclusive of radius:
  - (i) Residential access: Twenty-six (26) feet maximum and nine (9) feet minimum. Property frontage of fifty (50) feet or less shall be limited to one drive way with not more than two (2) drives to be provided to any single property.
  - (ii) Commercial or industrial access: Thirty five (35) feet maximum with the total drive width not to exceed thirty-five percent (35%) of property frontage.
- (b) Driveway approaches are prohibited in the following locations:
  - (i) At street intersections: No portion of any driveway



approach shall be permitted between the intersection of the extended property lines and the curb.

(ii) Within thirty (30) feet of a designated crosswalk.

(iii) Within thirty (30) feet of an intersection.

(c) Driveways shall, at a minimum, have a chip seal surfacing where the driveway encroaches onto a chipsealed road and paving where it encroaches onto an already paved road. Other driveway aprons must be composed at a minimum of a compacted all weather surface, equal to or better than the existing street improvement, up to a minimum of twenty (20) feet from the edge of the property into the lot.

## CHAPTER 5.7: LANDSCAPING

### SECTION 5.700: PURPOSE

The purpose of this section is to promote the preservation of native vegetation and the development of landscaping to enhance the natural beauty of the City of Clearlake, to maintain the rural character of the area, to provide habitat for wildlife, to improve the appearance of the community, and to minimize erosion and drainage problems.

### SECTION 5.701: LANDSCAPING

The following landscaping standards shall apply to all development occurring in the City of Clearlake excluding single family dwellings, single family mobile homes or single family subdivisions of four (4) or fewer lots.

- (a) Native tree plantings or vegetation consistent with Zone 7 of the Western Garden Sunset Book shall be the recommended species type in all landscape designs. The minimum tree size shall be a fifteen (15) gallon planting.
- (b) The number and spacing of trees for each landscaping plan will vary; however, as a general standard one (1), fifteen (15) gallon tree shall be planted for every twenty five (25) feet of frontage along a street.
- (c) All landscapes shall be provided with an irrigation system and maintained .
- (d) Landscaped planters adjacent to sidewalks, driveways and parking shall be surrounded with a six (6) inch high concrete curb or a similar type barrier to protect the landscaping from foot and automobile traffic.
- (e) Front and side street yards of multiple family residential developments shall be composed entirely of turf except for those areas which are planted with trees, shrubs or vegetative groundcover. The reviewing authority may modify turf requirements upon approval of site plan indicating a suitable alternative.
- (f) The front yard setback area of all new development except single family and duplex developments, shall be landscaped. In addition, those side and rear yard setback areas, as determined by the Planning Director, which are directly visible from public roads, easements, and properties, shall also be landscaped. However, in no event shall landscaping be less than five (5) percent of the total area.



## SECTION 5.702: PRESERVATION OF NATIVE VEGETATION

To promote the preservation of native vegetation the following modifications may be made upon approval of the reviewing body:

- (a) Required front and rear yard setbacks may be reduced up to fifty percent (50%).
- (b) Required side yard setbacks within the site may be eliminated. Required side yard setbacks shall not be reduced more than fifty percent (50%) for yards adjacent to property not part of the development project.
- (c) Lot width and minimum area requirements may be reduced up to fifty percent (50%) but not lot area shall be reduced to less than six thousand (6,000) square feet.
- (d) Height limitations may be increased up to fifty percent (50%).
- (e) A density bonus of ten percent (10%) may be granted over the maximum residential density allowed by the base zone district.
- (f) Residual open space accumulated by modifying space and bulk requirements within the allowable density and building intensity limits shall be for preserving large trees, rock outcrops, native plant life, and wildlife cover. The use of any open space may be further limited or controlled at the time of approval where necessary to protect adjacent properties or uses.

The reviewing body shall determine if the preservation of native vegetation on the subject site qualifies for the modifications allowed in the above subsections.

## CHAPTER 5.8: FENCES, WALLS AND HEDGES

### SECTION 5.800: PURPOSE

The purpose of this chapter is to provide for the erection of fences, walls and hedges for privacy, security and property control while maintaining compatibility with the character of the neighborhood, traffic safety at driveway, alley and street intersections, and safety control of materials used in fences.

### SECTION 5.800: FENCES, WALLS AND HEDGES

- (a) Fences, walls, hedges and similar obstructions shall not exceed three (3) feet in height in required front and street side yard nor six (6) feet in height in any required rear and side yard, except that such obstructions may be permitted up to four (4) feet in height in required front and street side yard if it is determined by the Public Works Director that:
  - (i) It shall not interfere with any parking or driveway area.
  - (ii) There shall be appropriate sight distance areas at street corners, alleys and driveways.
  - (iii) The obstruction will not endanger traffic and pedestrian safety.
  - (iv) Said obstruction is justified because of noise, glare, or other problems generated by use of an adjacent roadway or other outside influence.
- (b) In the case of two adjoining or contiguous lots which have a difference in ground elevation an additional fence height maybe permitted between side or rear lot lines not exceeding eight (8) feet above the ground level of the lower lot at the property line; provided that the portion of any fence extending above six (6) feet shall be designed as to permit adequate air circulation and be authorized by a use permit. This provision shall not be construed to prevent or prohibit shrubs, trees, or other ornamental plantings which are primarily intended or designed for landscaping purposes.
- (c) Notwithstanding any provision of subsection (a) of this section to the contrary, in the case of corner lots, fences, shrubs, hedges, screen plantings and similar obstructions shall not exceed three (3) feet in height within the sight distance area, and no trees shall be located or planted in the sight distance area. In street side yards, fences may be permitted in excess of three (3) feet in height if authorized by a use permit provided that:



- (i) Such fence shall not exceed six (6) feet in height.
  - (ii) The rear yard of the subject corner lot shall not abut a key lot.
  - (iii) Appropriate sight distance areas shall be maintained at street, alley and driveway corners.
- (d) Except in the A, O, RP, C-4, I and RR zoning districts fences within the city shall not be constructed of barbed wire or similar material unless a site plan review permit is first obtained. A site plan review permit may be granted only upon a finding that extraordinary circumstances requiring the use of barbed wire or similar material apply to the property in question which do not generally apply to property within the city. In no event may a use permit be granted for the use of barbed wire or similar material within five (5) feet of any public right-of-way. The Site Plan Review Committee may require as a condition of such use permit appropriate warning signs upon the barbed wire or similarly constructed fence.
- (e) In the C-4 and I zoning districts, fences may be permitted in excess of six (6) feet in height, upon securing a use permit in each case.
- (f) Notwithstanding any provision of this chapter, fences may be allowed in excess of four (4) feet in required front and street side yards upon securing approval of the Site Plan Review Committee provided that:
- (i) Such fence shall not exceed six (6) feet in height.
  - (ii) Appropriate sight distance area shall be maintained at street, alley and driveway corners.
  - (iii) Such fence shall be with at least ninety percent (90%) open area. No vegetation shall be allowed to use the fence for support.
- (g) Fences may be allowed in excess of four (4) feet in required front and street side yards upon securing approval for a conditional use permit provided that:
- (i) Such fence shall not exceed six (6) feet in height.
  - (ii) Appropriate sight distance area shall be maintained at street, alley and driveway corners.
  - (iii) Design of the fence shall be compatible with the surrounding neighborhood.

## CHAPTER 5.9: SATELLITE DISHES

### SECTION 5.900: SATELLITE DISHES

In order to maintain aesthetics and safety standards of the community of Clearlake the installation of satellite dish antenna in the RP, BV, RR, R-1, R-3, VA, and MUR zoning districts shall be subject to the following standards:

- (a) The maximum height of a satellite antenna shall be thirteen (13) feet. Roof mounted installations are prohibited except in cases where the site plan review committee determines it is the most feasible location.
- (b) Setback Distances:
  - (i) Front Yard: Satellite antenna shall not be located within the required front yard.
  - (ii) Side Yard: Satellite antenna shall not be located within the required side yard.
  - (iii) Rear Yard: Fifteen (15) feet.
- (c) No satellite antenna shall have a diameter greater than twelve (12) feet.
- (d) All satellite dish antenna must be neutral in color or non-reflective wire mesh, and to the extent possible, be compatible with the surrounding neighborhood in appearance and character



## CHAPTER 5.10: RESIDENTIAL HOUSING STANDARDS

### SECTION 5.1000: RESIDENTIAL HOUSING STANDARDS

The following standards shall apply to all residential dwellings in districts where they are permitted as a principal or accessory use.

- (a) All dwelling units must be at least twelve (12) feet in width or diameter (excluding eaves) and at least six hundred and fifty (650) square feet in gross floor area, except second residences as permitted in Chapter 4.3.
- (b) Mobile homes must be certified under the National Manufactured Home Construction and Safety Standards Act of 1974 which became effective in California in June, 1976.
- (c) All units shall be attached to a permanent foundation or permanent foundation system, pursuant to Health and Safety Code Section 18551 except for mobilehomes which shall be anchored in conformance with manufacturer's specifications.
- (d) All units shall be designed so that exterior walls look like wood, stucco, or masonry regardless of their actual composition.
- (e) The roofing materials shall be designed to look like composition roofing, tile, shakes, shingles, or tar and gravel; or metal roof sheathing with factory applied color coating.
- (f) Unit siding shall extend to the ground level (wood excluded) except that when a solid concrete or masonry perimeter foundation is used, then siding need only extend one and one-half (1 1/2) inch below the top of the foundation.
- (g) The slope of the main roof shall not be less than two (2) inches of vertical rise for twelve (12) inches of horizontal run.
- (h) All units shall have a perimeter roof overhang perpendicular to the axis of the roof line of not less than six (6) inches measured from the vertical side of the home. Such overhang may be accomplished by eaves, gutters or awnings.
- (i) Where any accessory structure is attached to the main structure, the eave requirement at the point of attachment may be waived by the Planning Director.
- (j) The minimum gross floor area for a principal residence shall be six hundred and fifty (650) square feet. The measurement determination shall be made from the outside of the structure. In determining the minimum square footage, garages,

porches, patios, hitches, tongues and screened rooms are not included. Cabanas and tip-outs are not included unless they are built or installed simultaneous with dwelling construction or installation, and are of a similar and compatible architectural design and construction material.

- (k) A detached private garage may be located immediately adjacent to a mobile home if the interior of the garage wall adjacent to the mobile home is constructed of materials approved for one-hour fire resistive construction or if there are openings in the mobile home wall adjacent to the garage wall, a minimum of three (3) feet shall be maintained. A minimum ten (10) feet separation shall be maintained between the mobilehome and a private garage which does not meet the requirements of one-hour fire-resistive construction.
- (l) All removable mobilehome tow bars and wheels shall be removed when a mobilehome is installed.
- (m) All mobilehomes must have skirting installed within thirty (30) days after occupancy.
- (n) The Site Plan Review Committee may waive the requirements of subsections d, g, and h when additions to existing dwellings without pitched roofs or roof overhangs are proposed, or when a proposed new dwelling has an architectural design or style including but not limited to the french mansard, or California mission styles.
- (o) Existing dwellings not in conformance with the standards of subsections d, e, g, and h may be relocated within the City after obtaining approval of the Site Plan Review Committee.



## CHAPTER 5.11: GENERAL DEVELOPMENT STANDARDS

### SECTION 5.1100: PURPOSE

The purpose of this chapter is to establish provisions for such other development standards as are reasonable and necessary for development of City of Clearlake to assure orderly community development.

### SECTION 5.1101: TRASH RECEPTACLES

All trash receptacles associated with multiple family, office, industrial and commercial development shall be screened so that they are not visually obtrusive from any off-site location and not located within any required front or side yard.

### SECTION 5.1102: UTILITIES

All utility services associated with new residential subdivisions of five (5) lots or more or multiple family complexes of five (5) units or more shall be placed underground.

## CHAPTER 5.12: ENVIRONMENTAL PROTECTION

### SECTION 5.1200: PURPOSE

This section establishes the environmental procedures the City of Clearlake will use in processing any requests for amendments to this ordinance or discretionary permits (projects).

### SECTION 5.1201: GENERAL RESPONSIBILITIES

- (a) The City Council, as the body having general governmental powers in the City, hereby delegates to the Planning Commission to the fullest extent permitted by State law the responsibility for preparing and certifying in their final form, all environmental documents for projects subject to City jurisdiction. The City Council further delegates to the Planning Director the preliminary responsibility for certification of environmental documents for projects that a City ordinance has authorized Site Plan Review Committee approval. However, the City Council may certify, recertify or otherwise modify any decision concerning the California Environmental Quality Act for a publicly initiated project.
- (b) The Planning Commission's or Planning Director's certification of the completeness of all environmental documents shall be final except as provided in Section 5.1201.

### SECTION 5.1202: ADOPTION OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT GUIDELINES

The City of Clearlake hereby establishes the California Environmental Quality Act Guidelines (Guidelines), or successor documents, as its official policy of assuring compliance with the California Environmental Quality Act (CEQA). All planning bodies and officers will comply with the Guidelines in their review of projects and will follow the procedures contained within it.

The City Council may adopt by resolution Environmental Protection Guidelines which shall establish procedures, in addition to the CEQA Guidelines, by resolution to be followed in making environmental considerations for all projects subject to City jurisdiction.









## ARTICLE VI: DEFINITIONS

Unless the text of this ordinance states otherwise, the following definitions shall be used in the interpretation and construction of this ordinance.

## CHAPTER 6.1: DEFINITIONS

### SECTION 6.101: DEFINITIONS

Words and phrases used in this ordinance shall be defined as follows:

#### (a) DEFINITIONS (A)

##### Abandonment:

The relinquishment of property, or a cessation of the use of the property for a period of one (1) year or more with the intention neither of transferring rights of the property nor of resuming use of the property.

##### Abatement:

Eliminating a zoning violation.

##### Access:

A way or means of approach to provide physical entrance to a lot, parcel, or natural feature.

##### Accessory:

Incidental or subordinate to the principal use or structure on the same lot or parcel.

##### Accessory structure:

A structure containing no kitchen or bathroom and located upon the same lot or parcel as the principal use or structure to which it is accessory. The structure is customary, incidental, appropriate and subordinate to the use of the principal building or the principal use of the land. All accessory structures shall be constructed with, or subsequent to, the construction of the principal structure or activation of the principal use.

##### Accessory use:

A use conducted upon the same building site, lot or parcel as the principal use or structure to which it is accessory. The use is customary, incidental, appropriate and subordinate to the use of the principal building, or the principal use of the land.

##### Accessory use, agricultural:

Those uses and structures customarily incidental and



subordinate to the agricultural use of the land including but not limited to: barns, storage sheds, corrals, pens, fences, windmills, watering and feed troughs; the storage and use of farm implements, irrigation and crop-protection equipment; the storage and use of fuels for heating buildings and operation of farm equipment or appliances; farm employee housing; water and wastewater treatment facilities and systems for private uses; utility and communication distribution facilities, not over one hundred kilo volts (100KV) or one hundred (100) square feet of building area, and; structures which are determined by the Planning Director to be customary, and incidental to the agricultural use of the lot or parcel. Agricultural accessory uses shall not include construction equipment storage yards.

#### Accessory use, residential:

Those uses and structures customarily incidental and subordinate to the residential use of the land including but not limited to: private garages, children's playhouses, patios, decks, fences, landings, porches, gazebos, outdoor gardens, trash storage areas and bins, storage sheds, radio and television antennas, satellite dish antennas, solar panels, flag poles, private boat docks, and boathouses; private pools, tennis courts, spas and hot tubs; domestic animal keeping; exotic animal keeping; hobby bee keeping with no more than one (1) hive for each two thousand, five hundred (2,500) square feet of lot area; water and wastewater treatment facilities and systems for private uses; permitted signs; the storage and use of fuels for heating buildings or for operating light equipment or household appliances; the parking of or temporary storage of operative automobiles, light trucks, boats, and motorcycles; utility and communication distribution facilities, not over one hundred kilo volts (100KV) or one hundred (100) square feet of building area, and; other accessory uses and structures which are determined by the Planning Director to be customary, and incidental to the residential use of the lot or parcel. Residential Accessory use shall not include mobile storage trailer, storage structures or cargo boxes designed or once serving as commercial shopping or cargo containers, truck trailers or boxes; and the storage of tractor-trailers or separate tractors or cargo trailers.

#### Accessory use, commercial:

Those uses and structures customarily incidental and subordinate to the commercial use of the land including but not limited to: trash storage areas and bins; vending machines, including reverse vending machines and ice dispensers; six (6) or less games/amusement devices and two (2) or less pool tables occupying less than twenty-five percent (25%) of the



net floor area of the principal use: required loading and unloading facilities; outdoor tables, benches, umbrellas, fountains, ponds, statues, sculpture, paintings and other works or art; radio and television antennas, private satellite dish antennas, the storage and use of fuels for fleet vehicles, heating buildings or for operation of appliances or equipment used within a building; water and wastewater treatment facilities and systems; sales offices, showrooms and administrative offices; permitted signs; the storage and use of commercial fleet vehicle as part of the principal use; utility and communication distribution facilities, not over one hundred kilo volts (100KV) or one hundred (100) square feet of building area, and; other accessory uses and structures which are determined by the Planning Director to be customary and incidental to the commercial use of the lot or parcel.

#### Accessory use, industrial:

Those uses and structures customarily incidental and subordinate to the industrial use of the land including but not limited to: loading and unloading facilities and equipment, parking areas and shipping terminals; trash storage areas and bins; water and wastewater treatment facilities and systems; incidental services such as cafeterias; storage facilities and garages, sales offices, showrooms and administrative offices; radio and television antennas, private satellite dish antennas, the storage and use of fuels for fleet vehicles, heating buildings or for operation of appliances or equipment used within a building; permitted signs; the storage and use of commercial fleet vehicle as part of the principal use; utility and communication distribution facilities, not over one hundred kilo volts (100KV) or one hundred (100) square feet of building area, and; other accessory uses and structures which are determined by the Planning Director to be customary and incidental to the industrial use of the lot or parcel.

#### Acre:

A land area unit containing 43,560 square feet.

#### Addition:

An construction which increases the size of a building such as a porch, attached garage or carport, or new room. An addition is a form of alteration.

#### Agricultural use:

The tilling of soil, the raising of crops, horticulture, viticulture, aviculture, apiculture, livestock grazing, the



raising of small animals and poultry, domestic livestock farming, dairying, and animal husbandry.

Agricultural processing:

The refinement, treatment, or conversion of agricultural products. Examples of agricultural processing include by are not limited to: packing sheds, fruit dehydrators, cold storage houses and hulling operations and the sorting, cleaning, packing, and storing of agricultural products preparatory to sale and/or shipment in their natural form when such products are produced on the premises including all uses customarily incidental thereto, but not including a slaughter house, fertilizer works, commercial packing or processing plant for the reduction of animal matter or any other use which is similarly objectionable because of odor, smoke, dust, fumes, vibration or danger to life or property.

Agricultural service establishment:

A specialized form of agri-business which not only has an integral role in local farming or ranching practices by is solely dependant upon agriculture to remain a business.

Airport:

Any area which is customarily used or intended for use for the landing and taking off of aircraft and any appurtenant areas which are used or intended for use for airport buildings or other airport facilities or rights-of-way, together with all airport buildings and facilities located thereon.

Alley:

A public or private thoroughfare which affords a secondary means of access to abutting property and is not intended for general traffic circulation.

Alteration:

Any change or rearrangement in the supporting members of an existing building, such as bearing walls, column, beams, girders, or interior partitions, as well as any change in doors or windows, or any enlargement to or diminution of a building or structure, whether horizontally or vertically, or the moving of a building or structure from one location to another.

Applicant:

A person submitting an application for a zoning clearance, any permit authorized by this chapter, or a zoning ordinance

amendment.

Automotive repairs, major:

Repair or refurbishing or any motor vehicle including the dismantling of an engine by removal of the heads or pistons; the removal of the transmission, rear end or major assembly of any motor vehicle, painting and auto body and fender work.

Automotive repairs, minor:

Limited repair of any motor vehicle including, but not limited to fluids or minor automotive parts including, but not limited to: spark plugs, belts, batteries, mufflers, tires and wheels. Major automotive repair, painting, body and fender work are excluded.

Automobile wrecking:

The dismantling or wrecking of used motor vehicles or trailers, or the storage, sale or dumping of dismantled or wrecked vehicles or their parts.

Automobile wrecking yard:

The presence on any lot or parcel of land of five (5) or more motor vehicles which for a period exceeding thirty (30) days have not been capable of operating under their own power, and from which parts have been or are to be removed for reuse or sale.

Awning sign:

A sign placed on the awning or window overhang.

(b) DEFINITIONS (B)

Bar/Tavern:

A drinking establishment where alcoholic beverages are sold for consumption on the premises (on-sale), and where the preparation and service of food is only accessory.

Bed and breakfast inn:

A commercial use defined as two (2) or more rooms or suites located in the principal dwelling providing overnight sleeping and breakfast accommodations for paying guest.



Billboard:

An off-site sign which advertises a business, organization, event, person, place or thing.

Block:

All property fronting upon one side of a street, between intersecting and intercepting streets, or between a street and a right-of-way, waterway, dead end street or unsubdivided land. An intercepting street shall determine only the boundary of the block on the side of a street which it intercepts.

Blue-line creek:

A creek, stream or watercourse indicated by a blue line as shown on the most recent edition of a U.S. Geological Survey topographic map.

Boarding house:

A dwelling for group quarters other than a hotel or bed and breakfast inn, where lodging and/or meals for three (3) or more persons is provided.

Buildable area:

That area of a lot or parcel left for buildings and structures when all the development standards have been met.

Building:

Any structure having a roof supported by columns or walls and intended for shelter, housing or enclosure of any individual, animal, process, equipment, good or materials of any kind of nature. Temporary structures such as tents are not buildings, but houses, garages, factories, barns, etc., are. "Building" shall include "structure".

Building, accessory:

See "Accessory structure".

Building height:

The vertical distance of a building measured from the average elevation of the finished grade within twenty (20) feet of the structure to the highest point of the roof.





Building, retail:

The sale of any article, substance or commodity in small quantities to the ultimate consumer for profit or livelihood.

Building, wholesale:

The handling and sale of any article, or substance for resale.

(c) DEFINITIONS (C)

California Environmental Quality Act (CEQA):

A State law which requires local and State agencies to determine the potential environmental impacts of a proposed project.

Campground:

A plot of ground upon which two (2) or more campsites are located, established or maintained for occupancy by camping units or the general public as temporary living quarters for recreation, education or vacation purposes.

Carport:

A roofed structure, or a portion of a building, open on two (2) or more sides primarily for the parking of automobiles belonging to the occupants of the property.

Cemetery:

Property used for the internment of the dead.

Church:

An institution which people regularly attend to participate in or hold religious services, meeting and other activities. The term "church" shall not carry a secular connotation, and shall include buildings in which the religious services of any denomination are held.

Collection facility:

Facilities designed to allow turn-in of recyclable materials or reuseable items at convenient locations including shopping centers and industrial areas. Such facilities could include various combinations of bins, boxes, cans, bulk reverse vending machines, kiosks, igloos, canopies, trucks,

trailers, and vans designed for recycling material collection.

- (1) Small collection facility is limited to five hundred (500) square feet of area used for bins, vehicles and structures designed for recycling material collection.
- (2) Large collection facility may cover more than five hundred (500) square feet of area used for bins, vehicles and structures designed for recycling material collection and may conduct processing operations utilizing power-driven sorting or consolidation equipment such as balers, crushers, or separators.

Community care facility:

Any facility, place or building which is maintained and operated to provide non-medical residential care, emergency shelters, adult day care, or home finding agency service for children, adults, or children and adults, including, but not limited to, the physically handicapped, mentally impaired, or incompetent persons including, but not limited to, "Community care facility" as defined in Section 1502 of the Health and Safety Code.

Community sewer system:

Any sewer disposal system with fewer than one hundred (100) connections.

Condominium:

The joint ownership of certain common property along with private, separate ownership of living space, as defined in Section 783 of the Civil Code of the State of California.

Contiguous:

A common property line or point or a property line or point separated by an alley, street or other public right-of-way.

Contractor's equipment storage yard:

A storage yard operated by, or on behalf of, a contractor licensed by the State of California for storage of large equipment, vehicles, or other materials commonly used in the individual contractor's type of business; storage of scrap materials used for repair and maintenance of contractor's own equipment; and buildings or structures for uses such as offices and repair facilities. Said yard shall not include a junk yard.



Conversion:

A change in the use of land, structure, or activity.

Cottage:

A small detached dwelling unit.

Cottage industry:

A home occupation carried out in a structure separate from the primary building.

(d) DEFINITIONS (D)

Dedication:

A gift of donation of property by the owner to another party.

Density:

The maximum number of dwelling units permitted per specified area of land.

Density bonus:

A density increase of at least twenty-five (25) percent over the otherwise maximum permitted density (residential) under the zoning ordinance and land use element of the general plan.

Detached:

Not sharing a common wall or roof.

Development:

The division of land into two (2) or more parcels; the construction, reconstruction, conversion, structural alteration or enlargement of any structure; any mining, excavation, landfill or land disturbance; and any use or extension of the use of land.

Development standard:

A section of each zoning or combining district which applies to permitted uses by setting forth minimum requirements or specifications for lot dimensions, setback and height limits; amount of land covered by buildings and structures; animal densities; parking and sign standards. A development standard can only be modified by a variance.

Drinking establishment:

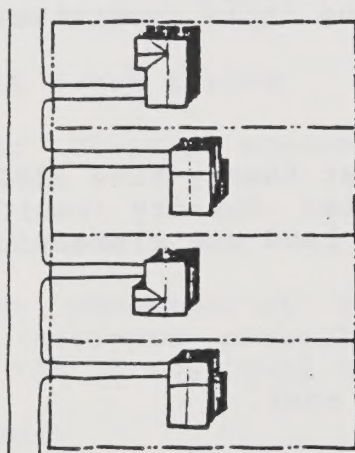
An activity or building where any amount of alcoholic beverages is sold and consumed on the premises, whether or not such sales are incidental to or accessory to its principal business.

Duplex:

See Dwelling, two-family.

Dwelling, single-family:

A single detached dwelling, at least six hundred, fifty (650) square feet, designed for and occupied exclusively by one dwelling unit wholly or partially assembled on-site in accordance with building standards published in the State Building Standards Code and/or the Uniform Building Code of the International Conference of Building Officials. Single family dwelling includes "factory-built housing" as defined in Section 19971 of the Health and Safety Code.



DWELLING, SINGLE FAMILY

Dwelling, two-family:

A single detached dwelling designed for and occupied by two dwelling units. Two-family dwelling includes duplex.

Dwelling, multi-family:

A single detached building designed for and occupied exclusively by three or more dwelling units, including apartment houses, condominiums, triplexes, and fourplexes; but not including trailer courts, mobile home parks or camps, motels, hotels, or resort type hotels.



Dwelling group:

A group of two (2) or more detached or semi-detached single-family or two-family dwellings occupying a parcel of land in one ownership and having any yard or court in common.

Dwelling unit:

A single unit providing complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation.

(e) DEFINITIONS (E)

Egress:

A point of vehicle exit from a parking area, lot, garage or driveway.

Encroachment:

Any obstruction in a delineated floodway, right-of-way, setback, or adjacent land.

Energy development:

Activities involved in the production of electrical energy including oil and gas electrical generators, solar energy electrical generators, wind-driven electrical generators, and geothermal electrical generators.

Equipment repair, light:

A shop for the restoration or replacement of parts of machinery powered by motors of ten (10) horsepower or less.

Equipment repair, heavy:

A shop for the restoration or replacement of parts of machinery powered by motors greater than ten (10) horsepower.

Excavation:

Removal or recovery by any means whatsoever of soil, rock, minerals, mineral substances or organic substances other than vegetation, from water or land on or beneath the surface thereof.

(f) DEFINITIONS (F)

Fabrication:

The manufacturing of standardized parts of a distinct object differing from the individual components.

Facade sign:

See wall sign.

Factory:

A building on which semifinished or finished material are converted to a different form of state or where goods are manufactured, assembled, treated or processed.

Factory-built housing:

A single family dwelling defined as "factory-built housing" by Section 19971 of the Health and Safety Code which has the approval of the Department of Housing and Community Development of the State of California. Factory built housing shall also include "modular housing".

Family:

One or more persons occupying a premises and living as a single housekeeping unit as distinguished from a group occupying a hotel, club, fraternity or sorority house. The family shall be deemed to include necessary servants.

Family care homes, small: (Section 1597, Government Code)

Any residential facility providing twenty-four (24) hour care for six (6) or fewer foster children who have mental disorders or developmental or physical disabilities and who require special care and supervision as a result of their disabilities.

Family contractor's business:

A business operated at or from a person's residence and is engaged in a trade which is regulated by the State Contractor's License Board.

Family Day Care Home: (Section 1597, Government Code)

A home which regularly provides care, protection, and supervision of twelve (12) or fewer children, in the provider's own home, for periods of less than twenty four (24) hours per day; while the parents or guardians are away, and



includes the following:

- (1) a large family day care home which provides family day care to seven (7) to twelve (12) children, inclusive, including children who reside at the home, as defined in regulations and Section 1597, Government Code; and
- (2) a small family day care home which provides family day care to six (6) or fewer children, including children who reside at the home, as defined in regulations and Section 1597, Government Code.

Farm employee housing:

Rooming and boarding houses, trailer coaches, mobile homes, single-family dwellings and mess halls for any number of farm help customarily employed principally on land owned or leased by the operator of the farm.

Fence:

Any structural device forming a physical barrier by means of wood, mesh metal, chain, brick, stake, plastic or similar materials. Fences may be used to screen.

Floodplain:

The relatively flat area adjoining the channel of a natural stream or river which has been or may be covered by flood-water.

Floodplain, primary:

That area within the "designated floodway".

Floodplain, secondary:

That area of the floodplain outside of the primary flood plain, that on the average is likely to be flooded once every one hundred years (i.e., that has a one (1) percent chance of flood occurrence in any one (1) year).

Floodway, designated:

A stream, channel and such portions of the adjacent floodplain as are reasonably required to efficiently carry the flood of the stream; and on which properties special regulations are necessary for minimum protection of the public health, safety, and of property and improvements from hazards and damage resulting from flood waters.

Floor area, gross:

A development standard defined as the total area of all floors of a building as measured to the surfaces of exterior walls and including corridors, stairways, elevator shafts, attached garages, porches, balconies, basements, and offices.

Floor area, net:

A development standard defined as the gross floor area excluding vents, shafts, stairs, corridors, attics, equipment rooms and unenclosed porches and balconies.

Foster family home:

Any residential facility providing twenty-four (24) hour care for six (6) or fewer children which is the residence of the foster parent or parents, including their family, in whose care the foster children have been placed.

Freestanding sign:

Any mobile or portable sign not securely attached to the ground or any other structure.

Fowl:

A bird of any kind, cock, hen of the domestic or domesticated or wild gallinaceous bird (turkey, pheasant, grouse).

(g) DEFINITIONS (G)

Game rooms/amusement arcades:

A place wherein games/amusement devices occupy 25% or more of the net floor area, or contains seven (7) or more games/amusement devices and three (3) or more pool tables and does not include any card games of chance or gambling.

Garage:

An accessible and usable covered and completely enclosed space for storage of automobiles. Such garage to be so located on the lot so as to meet the requirements of this chapter for an accessory building, or if attached to the main building, to meet all the requirements applicable to the main building.

Gasoline service :

A retail business establishment limited to the sale of motor



fuels and supplying goods and services generally required in the operation and maintenance of automotive vehicles. These may include sale of petroleum products; sale and servicing of tires, batteries, automotive accessories and replacement items, washing and lubrication and minor automotive repairs. Minor automotive repairs must be enclosed entirely within a building. Vehicles involved in automotive repair must be entirely within a building. Painting and body and fender work are excluded except for such uses that are otherwise permitted in the district. "Service Station" as used herein does not include chain, or automatic wash racks.

Geo-temperature gradient hole:

Any well drilled for purposes of making geological or geophysical exploration measurements. Such wells have small diameters and are drilled from truck-mounted rigs that create short term and minimal surface disturbance.

Geo-exploration project:

A project consisting solely of geothermal wells (and accessory uses and structures) drilled to discover or evaluate the presence of either low-temperature or high-temperature geothermal fluids including steam, where the surface location of the well is at least eight tenths (.8) Km or one-half (.5) mile from the surface location of an existing well capable of producing geothermal fluids in commercial quantities.

Geo-field development project:

A development project as defined in California Government Code Section 65928 which is composed of geothermal wells, resource transportation lines, production equipment, roads, and other facilities which are necessary to supply geothermal energy to any particular heat utilization equipment for its production life, all within an area delineated by the applicant.

Geo-direct use application:

Geothermal resources used in applications other than electrical generation. Such applications include space heating and cooling, processing, cleaning, drying, agricultural/aquacultural applications and district heating. Temperature requirements for these applications range from a low of 55 degrees F to 65 degrees F for heat pumps, up to 250 degrees F for pasteurization or industrial processing.

Gravel extraction:

The removal of gravel from creek beds, banks, terraces and lacustrine deposits. Gravel extraction may include processing, including but not limited to, screening, crushing, sorting and washing of materials.

Ground sign:

A detached sign supported wholly by poles, pylons, pillars, pedestals, foundations or beams firmly anchored to the ground

Guest house:

A detached living quarters of a permanent type of construction without kitchen or cooking facilities of any kind, intended and used primarily for temporary guests of the occupants of the main building on the lot on which such guest house is located, and not rented or otherwise used as a separate dwelling.

(h) DEFINITIONS (H)

Height, maximum:

See "Maximum height".

Heliport:

Any area of land, water or a structure which is used or intended for use for the landing and taking off of helicopters.

Home occupation:

An accessory use of a dwelling, conducted entirely within the dwelling unit or an allowed accessory structure, and carried on by one or more persons, all of whom reside within the dwelling unit. The use is clearly incidental and secondary to the use of the dwelling and does not change the character thereof or adversely affect the uses permitted in the residential district of which it is part.

Hospital:

An institution providing physical or mental health services, inpatient or overnight accommodations, and medical or surgical care of the sick or injured including full-time medical supervision of the institution.



Hotel/Motel:

Any building, portion thereof or group of buildings, providing transient accommodations containing six (6) or more rooms; used, designed or intended to be used, let or hire out for transient occupancy.

(i) DEFINITIONS (I)

Incidental:

Secondary, accessory and subordinate to another use, structure or activity.

Ingress:

A point of vehicle entrance to a parking area, lot, garage or driveway.

Interior lot:

See "Lot, interior".

(j) DEFINITIONS (J)

Junk yard:

The use of any area for the storage of junk including scrap metals, salvage or other materials, or for the dismantling or wrecking of automobiles or other vehicles, or machinery, whether for sale or storage including the salvaging, dismantling, wrecking or reassembling.

(k) Definitions (K)

Kennels, hobby:

Any lot, building, structure, enclosure or premises whereupon five (5) or more dogs or cats over the age of four (4) months are kept for the purposes, whether in special building or runways or not.

Kennels, commercial:

Any premises wherein any person engages in the business of boarding, breeding, buying, letting for hire, training for a fee, or selling of dogs or cats.

(l) DEFINITIONS (L)

### Landscaping:

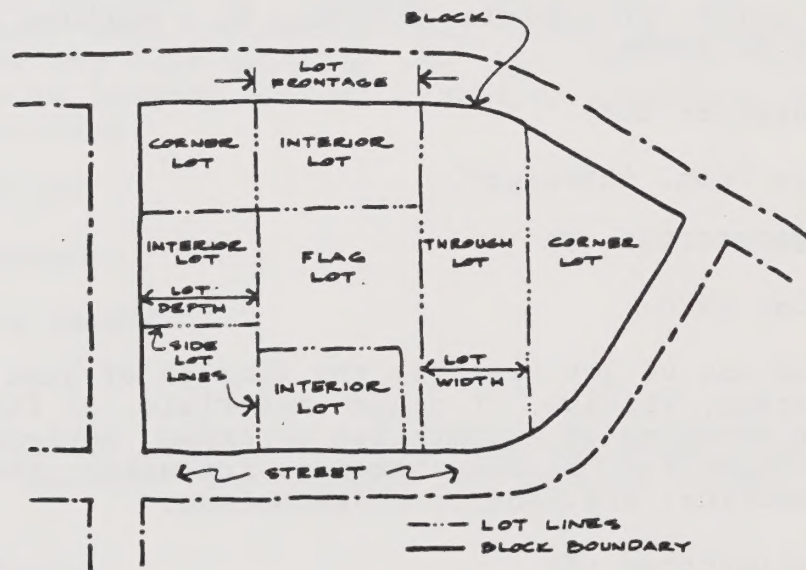
The addition of lawns, trees, plants, and other natural and decorative features to land.

### Lot:

A parcel, tract or area of land established by subdivision or as otherwise permitted by law, to be used, developed or built upon as a unit.

### Lot Area:

The total area within the lot lines, excluding any street right-of-way but not excluding any platted land within Clear Lake.



### Lot, Corner:

A lot abutting upon two (2) or more streets at their intersection.

### Lot, Interior:

A lot whose front yard abuts a street.

### Lot, through:

A lot having two frontages on two parallel streets.

### Lot line:

A line separating the frontage from a street; the side from a street or adjoining property; or the rear from an alley or



street or adjoining property.

Lot width:

A development standard defined as the horizontal distance between the side lot lines measured at right angles at the building setback line.

(m) DEFINITIONS (M)

Marina:

A facility consisting of berths for securing pleasure boats and which may include storing, servicing and fueling of boats.

Maximum height:

A development standard which limits the height of buildings and structures.

Maximum lot coverage:

The amount of lot area coverage allowed for buildings and structures.

Minimum lot size:

A development standard which is the smallest size a lot may be divided.

Mining:

The removal of minerals, rock, or sand and gravel from the earth by extraction.

Mini-Warehouse:

A structure containing separate storage spaces of varying sizes leased or rented on an individual basis.

Mobile Home/Manufactured Housing:

A structure, transportable in one or more sections, which is at least twelve (12) feet in width, with at least six hundred, fifty (650) square feet of gross floor area and is certified under the National Manufactured Home Construction and Safety Standards Act of 1974 which became effective in California on June 15, 1976.

Mobile Home Park:

Any area or tract of land where two (2) or more mobilehome lots are rented or leased or held out for rent or lease to accommodate mobilehomes used for human habitation. The rent paid for any such mobilehome shall be deemed to include rental for the lot it occupies.

Mobile Home Space:

A plot of land for placement of a single mobile home within a mobile home park.

(n) DEFINITIONS (N):

Net lot area:

The gross lot area minus any ultimate street rights-of-way, slopes greater than thirty (30) percent, areas within fifteen (15) feet of a stream bank, areas within the floodway, and all easements, except open space easements, that prohibit the surface use of the lot in question by persons other than the easement holder.

Non-conforming lot:

A lot, the area dimensions or location of which were lawful prior to the adoption of this ordinance, any amendments hereto, or previously adopted City zoning ordinances, and which does not conform to the present regulations of the zoning or combining district in which it is situated.

Non-conforming structure:

A building or structure, the setbacks, height or location of which was lawful prior to the adoption of this ordinance, any amendments hereto, or previously adopted City zoning ordinances and which does not conform to the present regulations of the zoning or combining district in which it is situated.

Non-conforming use:

Any use of land, building or structure which was lawful prior to the adoption of this ordinance, any amendment hereto, or previously adopted City zoning ordinances and which does not conform to the present regulations on use of the zoning or combining district in which it is situated.

Notice of appeal:

A document which indicates that an applicant for a permit or



zoning amendment, or an affected party, wishes to appeal a decision of a planning officer or body of The City of Clearlake.

Nursery school:

A public or private school for children usually under five (5) years of age.

(o) DEFINITIONS (O)

Off-sale liquor:

The sale of alcohol or alcohol products for human consumption only when off the site of the place of sale.

Off-street parking:

An approved vehicle parking area, whether covered or uncovered, which is not located on a dedicated street right-of-way.

On-sale liquor:

The sale of alcohol or alcohol products for human consumption only when on the site of the place of sale.

Open storage:

The storage of supplies, materials, products, motor vehicles or other appurtenances which is "open" or viewable by the general public. "Open storage" is a form of "outdoor storage".

Open space, common:

Areas in a development reserved for the use of the residents or guests of a development such as tennis courts, swimming pools, playgrounds, community gardens, landscaped areas for common use, or other open areas of the site needed for the protection of the habitat, archaeological, scenic, or other resources.

Open space, private:

Usable open space intended for use of occupants of one dwelling unit, normally including yards, decks, and balconies.

Open space, public:

Areas in a development reserved for public parks, recreational support facilities such as restrooms, stairways, pic-

nic tables, etc., public parking lots, beaches, access corridors such as bike paths, hiking, or equestrian trails, usable natural areas, and vista points which are accessible to members of the general public. Environmentally sensitive habitat area and archaeological sites may be included in public open space. Water bodies such as streams, ponds, and lakes maybe included in public open space only if available for active recreational purposes, i.e., swimming, boating, or fishing but in no case shall water bodies be credited for more than five (5) percent of the total public open space requirement within a development. "Public open space" shall not include areas which are unusable for recreational purposes, i.e., private or public streets, private parking lots, or hazardous areas such as steep slopes and bluff faces.

Open space, usable:

One or more open areas adjacent to residential uses designed for outdoor living and recreation, and which is located at, below, or above grade.

Open to the public:

A term applied to commercial uses which shall mean "available for use by persons other than employees".

Outdoor storage:

The storage of supplies, materials, products, motor vehicles or other articles outside of a building and left uncovered by roofs or walls. Outdoor storage may be screened.

(p) DEFINITIONS (P)

Parcel:

See "Lot".

Parking space:

An accessible and usable space on the building site located off the street with access for the parking of automobiles. See "Off-street parking".

Parking, covered:

An accessible and usable parking space within a carport or garage.



Performance standard:

A minimum requirement or maximum allowable limit on the effects or characteristics of a use and used to define compatibility.

Permit:

Written governmental permission issued by an authorized official, empowering the holder thereof to do some act not forbidden by law, but not allowed without such authorization.

Person:

Any individual, firm, co-partnership, corporation, company, association, joint association or body politic and includes any trustee, receiver, assignee or other similar representative thereof.

Personal service:

A retail establishment or facility which provides for the cleaning, maintenance or repair of clothing or footwear or the maintenance or improvement of the customer's physical appearance. Person services include beauty and barber services; photography services; laundering, dry cleaning and dyeing services; funeral and crematory services; and, apparel repair, alterations and cleaning pickup services, and shoe repair services.

Planned development:

A large, integrated residential development located on a single building site, or on two (2) or more building sites. In such development, the land and structures shall be planned and developed as a whole in a single development operation or a series of developments in accordance with a master plan.

Planning Director:

The department head of the Planning Department or his designated representative.

Plant nurseries, retail:

The sale of garden plants, shrubs, trees, packaged fertilizers, soils, chemicals or other nursery goods and related products in small quantities to the ultimate consumer.

Pole sign:

A detached sign supported wholly by poles, pylons, pillars or beams firmly anchored to the ground.

Poultry:

Domesticated birds kept for eggs or meat.

Power generation:

Any electrical generating facility using thermal, wind, or water energy but not limited to, biomass plants, wind farms, coal-fired plants, or thermal power plants with a generating capacity of less than fifty (50) megawatts.

Principal use:

The primary or initial use of the land, whether it be to farm, to ranch, to reside within a dwelling, or to operate a business. For guidance, in an Agricultural District, the principal use of the land would be farming or ranching. An accessory use would be the farm house.

Principal structure:

A structure in which is conducted the principal use of the lot on which it is situated, except for agricultural uses. In any residential district, any dwelling shall be deemed to be the principal structure on the lot on which it is situated.

Private utility:

Any utility which is not a public utility.

Processing facility:

Facilities for the collection and processing of recyclable materials and reuseable items involving can sorting, flattening and shredding, glass sorting and crushing, and paper bailing. Such processing shall be done within an enclosed area. Recycling processing facilities do not include wrecking, salvaging or scrap yards.

Professional services:

A service rendered by attorneys, certified public accountants, public accountants, chiropractors, dentists, osteopaths, doctors of medicine, chiropodists, architects, veterinarians, optometrists, nurses, pharmacists, physical therapists, professional engineers, registered land surveyors



and any occupation which is an office oriented service requiring a State license, such as real estate, but does not include personal services.

Projecting sign:

Any sign other than a wall sign affixed to any building or wall whose leading edge extends beyond such building or wall

Publicly initiated project:

An activity proposed and directly undertaken by any public agency under the jurisdiction of the City Council, including but not limited to public works construction and related activities, clearing or grading of land, improvements to existing public structures, enactment and amendment of zoning ordinances, grants or subsidies, and the adoption and amendment of local General Plans or elements.

Publicly maintained road:

Any road in the City of Clearlake maintained by public funds.

Public notice:

The announcement of a public hearing in a letter or paper of general circulation in the area, indicating the time, place and nature of the public hearing.

Public and private non-profit campgrounds:

Camping facilities for the general public, youth organizations, or community service groups offered either by reservation or for unlimited usage.

Public Sewer System:

Any sewage disposal system of one hundred (100) or more connections operated and maintained by any municipality, district, public or private corporation, organized and existing under and by virtue of the laws of the State of California.

Public signs:

Signs of a noncommercial nature such as community service information signs, safety signs and all signs erected by a public officer in the performance of a public duty.

Public utility:

Production, storage, transmission, switching and recovery

facilities for water, sewerage, energy, communications and other similar utilities owned or operated by a business organization and subject to the jurisdiction of the Public Utilities Commission.

Public water system:

Any water system, other than an individual well, spring, or mutual water system that is operated by a municipality, governmental agency, or a public utility for the furnishing of potable water.

(q) DEFINITIONS (Q)

(r) DEFINITIONS (R)

Real estate sign:

Any sign which is used to offer for sale, lease or rent the property upon which the sign is placed.

Recreational vehicle:

A motor home, travel trailer, camper, camping trailer, or houseboat with or without motor power, designed for human habitation for recreational or emergency occupancy, with a living area less than (220) square feet excluding built-in equipment such as wardrobes, closets, cabinets, kitchen units or fixtures, and bath and toilet rooms.

Recreational vehicle park:

Any area or tract of land, where one or more lots are rented or leased or offered for rent, or leased to owners or users of recreational vehicles or tents and which is occupied for temporary purposes.

Replacement value:

A building evaluation by the Chief Building Official not including the value of land.

Required yard, front:

A development standard which is applied to the placement of structures and is the shortest possible distance between every structure and the front lot line on the subject lot.

Required yard, rear:

A development standard which is applied to the placement of structures and is the shortest possible distance between



every structure and the rear lot line on the subject lot.

Required yard, side:

A development standard which is applied to the placement of structures and is the shortest possible distance between every structure and the side lot line on the subject lot.

Residence:

A home, abode or place where an individual is actually living at a specific point in time.

Resort:

Any building site occupied by a hotel or motel, and accessory uses, including swimming, boating, riding, hobby, sporting and recreation facilities.

Resource extraction:

Activities involved with the removal of natural resources from the ground including oil and gas exploration and production, gravel extraction, and mining.

Rest home:

See "Community care facility".

Restaurant:

An establishment where food is prepared for consumption on the premises, which may include on sale alcoholic beverages.

Retail trade and service:

The purchase, sale, offering for sale, or other transaction involving the handling or disposition of any article, service, or commodity to the ultimate consumer.

Reverse vending machine:

A mechanical device which accepts one or more types of empty beverage containers and issues a cash refund or a redeemable credit slip with a value not less than the container's redemption value and applicable redemption bonus.

Roof sign:

Any sign erected or constructed wholly upon and over the roof of any building and supported solely on the roof structure.

Rummage sale:

The infrequent sale of secondhand and donated goods by individuals or non-profit organizations, including garage and yard sales, not to exceed six (6) days per calendar year.

(s) DEFINITIONS (S)

Sanitary landfill:

A site for solid waste disposal in which the solid waste is spread in thin layers, compacted to the smallest practical volume, and covered with soil at the end of each working day.

Satellite dish antenna:

Any accessory structure capable of receiving, for the sole benefit of the principal use, radio or television signals from a transmitter or transmitter relay located in planetary orbit.

School, private:

A school that is established, conducted, and primarily supported by a nongovernmental agency or group of individuals.

School, public:

A tax-supported school controlled by a local government authority.

Second residential unit:

A second residential unit is either a detached or attached dwelling unit which provides complete independent living facilities. It shall include separate permanent provisions for living, sleeping, cooking, and sanitation facilities from those of the main dwelling unit on the parcel on which it is located.

Setback:

See "Required yard, front", "Required yard, rear", "Required yard, side", or "Building setback line".

Sign:

Anything whatsoever placed, erected, constructed, posted, painted, printed, tacked, nailed, glued, stuck, carved or otherwise fastened, affixed or made visible for out-of-door



advertising purposes in any manner whatsoever, on the ground or on any tree, wall, bush, rock, post, fence, building, structure, or anything whatsoever.

Single-family dwelling:

See "Dwelling, single-family".

Special event:

An establishment or enterprise involving large assemblages of people or automobiles on private land including but not limited to: a carnival or circus; automobile, boat or foot race; rodeo; outdoor concert, play or festival involving more than 100 people; professional golf or tennis tournament.

Street banner sign:

Any banner sign which is stretched across and hung over a public right-of-way.

Street, public:

See "Publicly maintained road".

Street, private:

A right-of-way or easement used for vehicular, equestrian and/or pedestrian traffic privately owned and maintained.

Structure:

Anything constructed or erected, the use of which required location on the ground or the attachment to something having location on the ground including swimming pools, gas storage containers and patio covers but not including paved area.

Structural alteration:

Any change in the supporting members of a building, such as bearing walls, columns, beams or girders.

Structural wall:

Any bearing wall of a building.

#### (t) DEFINITIONS (T)

Temporary use:

A term applied to certain uses requiring a temporary use

permit which are only allowed for a limited time.

Temporary dwelling:

A travel trailer or motor home which serves as a dwelling unit for the owner/builder for one year while building the principal dwelling unit.

Temporary construction office:

A temporary job site office which serves as commercial office for one year while the principal structure is being built.

Temporary sales office:

A real estate sales office to serve a newly created subdivision while buildings or lots are offered for initial sale, located on the same tract of land as the buildings or lots offered for sale.

Timeshare:

A single-family dwelling unit whether attached or detached which is in common ownership by more than one family or individual, the purpose of which is to provide temporary living accommodations to all owners on a scheduled basis for recreation. A timeshare may be managed by nonowners and rented to nonowners when approved by the common owners.

Townhouse:

A single-family dwelling in a row of at least three such units in which each unit has its own front and rear access to the outside, no unit is located over another unit, and each unit is separated from any other unit by one or more common fire resistant walls.

Trailer coach:

A recreational vehicle designed or used for human habitation, including travel trailers, motor homes, house cars and campers, with a maximum gross occupied ground area of less than three hundred twenty (320) square feet.

Trailer court/Trailer park (Title 25):

Land or premises used or intended to be used for one (1) or more trailer coaches on the basis of lease, rent or other consideration.



Travel trailer:

A recreational vehicle without motor power designed for human habitation for residential, recreational, industrial, professional, or commercial purposes, but shall not include camper, truck camper, or mobile home.

Truck stop:

A place of business primarily engaged in providing service station facilities for cargo vehicles or trailer trucks. Truck stops may include accessory food services.

(u) DEFINITIONS (U)

Use:

The purpose for which land or premises of a building thereon is designed, arranged, or intended or for which it is or may be occupied or maintained.

Use, accessory:

See "Accessory use".

Use area:

A measured area occupied by principal and accessory buildings, structures, and appurtenant uses. For guidance, the use area of an agricultural processing facility would include measurements of the gross floor area of all buildings and structures plus the area, in square feet, occupied by all outdoor storage areas, all parking areas, and any other area of ground affected by the processing of agricultural products.

Use permit, conditional or temporary:

A discretionary permit. A use permit is the authorization of a particular use for a specified period of time and often includes conditions of approval which run with the land, regardless of ownership.

Uses, permitted:

A section title found in base zoning districts and combining district where applicable which indicates a list of uses which require only staff review.

(v) DEFINITIONS (V)

Veterinary clinic/ hospital, large animal:

Any premises used for the care and treatment of large domestic animals including horses, cattle, goats, sheep, and similar animals with all such operations being conducted wholly within a building, except for holding pens or corrals while the large animal is under care of the veterinarian.

Veterinary clinic/hospital, small animal:

Any premises used for the care and treatment of small domestic animals including dogs, cats, birds and similar animals and fowl with all such operations being conducted wholly within a building.

(w) DEFINITIONS (W)

Wall sign:

Any sign painted on or attached to and erected parallel to the face of, or erected and confined within the limits of, the outside wall of any building and supported by such wall or building and which displays only one advertising surface.

Window sign:

A sign displayed inside the first floor window area of a building not occupying more than fifty percent (50%) of the area of the window.

Winery:

A bonded establishment primarily used for the purpose of processing grapes or other fruit products. Processing includes, but is not limited to, crushing, fermenting, blending, aging, storage, bottling, and wholesale/retail sales of wine produced and bottled on the premises. Accessory uses include tasting rooms and incidental retail sales of wine related products, including but not limited to, glasses, bottle openers, advertisements, and previously prepared packaged foods.

(x) DEFINITIONS (X)

(y) DEFINITIONS (Y)

Yard, front:

A yard between the front line of the lot and the nearest line of the main wall of the building and extending from side line to side line of the lot. Also see required front yard. For the purposes of determining yard requirements and



setbacks on through lots, all lots line adjacent to opposing streets shall be considered front lot lines. For the purposes of determining yard requirements and setbacks on corner lots, the narrower street frontage shall be considered the front lot line.

Yard, rear:

A yard between the rear line of the lot and the nearest line of the main wall of the building and extending from side line to side line of the lot. Also see required rear yard.

Yard, side:

A yard between the side line of the lot and the nearest line of the main wall of the building and extending from the front setback of the lot to the rear setback. Also see required side yard.

(z) DEFINITIONS (Z)

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